

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Hearing Date: December 16, 2025 at 2:00 p.m. (ET)

Objection Deadline: December 1, 2025 at 4:00 p.m. (ET)

**LIQUIDATING TRUSTEE'S THIRTEENTH OMNIBUS OBJECTION
(SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN MISCLASSIFIED CLAIMS**

**TO THE HOLDERS OF CLAIMS ON SCHEDULE 1 TO THE PROPOSED ORDER
ANNEXED HERETO AS EXHIBIT A:**

- **YOUR SUBSTANTIVE RIGHTS MAY BE AFFECTED BY THIS OBJECTION AND BY ANY FURTHER OBJECTION THAT MAY BE FILED BY THE LIQUIDATING TRUSTEE**
- **YOU ARE DIRECTED TO LOCATE YOUR CLAIM ON SCHEDULE 1 ATTACHED TO THE PROPOSED ORDER**
- **THE RELIEF SOUGHT HEREIN IS WITHOUT PREJUDICE TO THE LIQUIDATING TRUSTEE'S RIGHTS, OR THE RIGHTS OF OTHER PARTIES-IN-INTEREST, TO PURSUE FURTHER SUBSTANTIVE OR NON-SUBSTANTIVE OBJECTIONS AGAINST THE CLAIMS ADDRESSED HEREIN**

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust (the "**Liquidating Trust**"), hereby submits this thirteenth omnibus objection (substantive) (the "**Objection**") seeking entry of an order (the "**Proposed Order**"), substantially in the form annexed hereto as **Exhibit A**, pursuant to, *inter alia*, section 502 of title 11 of the United States Code (the "**Bankruptcy Code**"), Rule 3007 of the

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors' corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.



Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 3007-1 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) reclassifying the priority status of the Claims² listed on **Schedule 1** to the Proposed Order, in whole or in part, because the Books and Records (as defined below) show that such Claims are not entitled to the asserted priority (the “**Misclassified Claims**”), either in whole or in part.³ In support of the Objection, the Liquidating Trustee submits the Declaration of Rick Wright (the “**Wright Declaration**,” a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein), and respectively represents as follows:

JURISDICTION, VENUE AND STATUTORY BASES

1. The United States District Court for the District of Delaware has jurisdiction over this Objection pursuant to 28 U.S.C. § 1334, which was referred to the United States Bankruptcy Court for the District of Delaware (the “**Court**”) under 28 U.S.C. § 157 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012.

2. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Court may enter a final order consistent with Article III of the United States Constitution.⁴

3. The statutory bases for the relief requested herein are Bankruptcy Code section 502, Bankruptcy Rule 3007, and Local Rule 3007-1.

² Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Plan (as defined below).

³ The Liquidating Trustee expressly reserves all of his rights to interpose additional substantive and/or non-substantive objections to each of the Misclassified Claims at a later date, and for any reason.

⁴ Pursuant to Local Rule 9013-1(f), the Liquidating Trustee hereby confirms his consent to entry of a final order by the Court in connection with this Objection if it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

BACKGROUND

A. The Chapter 11 Cases

4. On June 17 and 19, 2024, as applicable (the “**Petition Date**”), Fisker, Inc. and its debtor affiliates (collectively, the “**Debtors**”) commenced the above-captioned cases (the “**Chapter 11 Cases**”) in the Court under chapter 11 of the Bankruptcy Code.

5. On October 15, 2024, the Debtors filed their fourth amended *Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates* (as amended, the “**Plan**”) [D.I. 713].

6. On October 16, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order, Approving the Disclosure Statement on a Final Basis, Confirming the Debtors’ Joint Chapter 11 Plan of Liquidation, and Granting Related Relief* (the “**Confirmation Order**”) [D.I. 722] confirming the Plan.

7. Pursuant to the Confirmation Order, the appointment of the Liquidating Trustee was approved in all respects, including:

[T]o (a) carry out all rights and duties set forth in the Plan and Liquidating Trust Agreement, (b) appear and be heard on all matters related to the Chapter 11 Cases (as a representative of the Liquidating Trust and/or the Debtors, as applicable), (c) as set forth in Article VIII.B.3 of the Plan and this Order, investigate, prosecute and resolve, in the name of the Debtors and/or the name of the Liquidating Trustee, any Preserved Estate Claims (including, for the avoidance of doubt, any criminal causes of action), and (d) present to creditors and other courts of competent jurisdiction this Order as evidence of such authority.

See Confirmation Order, ¶ 73.

8. On October 17, 2024 (the “**Effective Date**”), the Plan went effective. *See Notice of (I) Effective Date of Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates and (II) Certain Claims Bar Dates* [D.I. 730].

9. The Liquidating Trust was established on the Effective Date, into which the Debtors transferred “all of the Debtors’ and Estates’ rights, title, and interest in and to all of the Liquidating Trust Assets, and, in accordance with section 1141 of the Bankruptcy Code, the Liquidating Trust Assets, ... automatically vest[ed] in the Liquidating Trust free and clear of all Claims, Liens, encumbrances, or interests.” *See* Confirmation Order, ¶ 75.

10. The Plan provides that, after the Effective Date, the Liquidating Trustee: “[s]hall have the sole authority to (a) file, withdraw or litigate to judgment, objections to Claims; (b) settle or compromise any Disputed Administrative Claim without any further notice to or action, order or approval by the Bankruptcy Court (other than a Professional Fee Claim).” *See* Plan, Article X.B.

B. The Bar Dates

11. On August 15 and 16, 2024, each Debtor filed its respective schedule of assets and liabilities (the “**Schedules**”) and statement of financial affairs, as each may have been amended from time to time [D.I. 430-450].

12. On August 19, 2024, the Court entered its *Order (I) Establishing Certain Bar Dates for Filing Proofs of Claim Against the Debtors, and (II) Granting Related Relief, Including Notice and Filing Procedures* [D.I. 458] (the “**Bar Date Order**”).

13. Among other things, the Bar Date Order established (i) 5:00 p.m. prevailing Eastern Time on September 11, 2024 (the “**General Bar Date**”) as the deadline for all entities, other than governmental units, to file Proofs of Claim and (ii) 5:00 p.m. prevailing Eastern Time on December 16, 2024 (the “**Government Bar Date**”) as the deadline for governmental units to file Proofs of Claim.

14. The Plan and the Confirmation Order provided that holders of Administrative Claims were required to file such claims no later than the first Business Day that was thirty (30)

days following the Effective Date, or November 18, 2024 (the “**Administrative Claims Bar Date**” and, together with the General Bar Date and the Government Bar Date, the “**Bar Dates**”). *See* Confirmation Order, ¶ 100; *see also* Plan, Article I.15.

15. Consequently, all applicable Bar Dates have passed.

C. Claims Objection Deadlines

16. Pursuant to the *Order Extending the Period to File and Serve Objections to Claims and Interests Through and Including January 12, 2026* [D.I. 1068], the deadline for the Liquidating Trustee to object to Claims other than Administrative Claims is January 12, 2026, subject to the Liquidating Trustee’s right to seek additional extensions.

17. Pursuant to the *Order Extending the Period to File and Serve Objections to Administrative Claims* [D.I. 1095], the deadline for the Liquidating Trustee to object to Administrative Claims, including Bankruptcy Code section 503(b)(9) Claims, is February 16, 2026 (the “**Administrative Claims Objection Deadline**”), subject to the Liquidating Trustee’s right to seek additional extensions.

D. Claims Objection Procedures

18. In connection with the Claims and Interests reconciliation process, the Liquidating Trustee previously obtained approval of certain omnibus objection procedures intended to promote a Claim and Interest reconciliation process that is conducted in a timely, efficient, and cost-effective manner (the “**Claims Objection Procedures**”). *See Order Granting Liquidating Trustee’s Motion (I) Leave from Local Rule 3007-1(f) Related to the Filings of Substantive Omnibus Claim Objections; and (II) Related Relief* [D.I. 894].

19. Among other things, the Claims Objection Procedures provide the Liquidating Trustee with relief from certain of the requirements of the Local Rules to permit (but not require)

the Liquidating Trustee to exceed certain claims limits and file omnibus Claim objections raising common legal issues to multiple Claims.

E. The Claims and Interest Resolution Process

20. In the ordinary course of business, the Debtors maintained books and records (the “**Books and Records**”) that reflect, among other things, the Debtors’ liabilities and the amounts owed to their creditors.

21. The Liquidating Trustee and his advisors (the “**Reviewing Parties**”) have been and continue to undertake a comprehensive review of all Claims and Interests filed in these Chapter 11 Cases, including any supporting documentation and a comparison of these documents with the Books and Records to determine the validity of such Claims. This process includes identifying categories of Claims and Interests that may be targeted for disallowance and expungement, reduction and/or reclassification.

22. Since the Effective Date, the Liquidating Trustee has filed numerous omnibus objections to Claims and/or Interests. *See, inter alia*, D.I. 888, 889, 890, 910, 930, 956, 976, 977, 1054, 1055, 1097, 1131.

23. In addition to, and as part of, the formal Claims and Interest objection process, the Liquidating Trustee continues to make progress in resolving certain outstanding Claims and Interests through stipulated withdrawals, settlements and/or consensual reconciliations.

24. While the Liquidating Trustee has made considerable progress in the Claims and Interests reconciliation process, additional objections are required to resolve as-yet unreconciled Claims and Interests. More specifically, the Claims and Interest reconciliation process moving forward will focus mainly on, among other things, the continued reconciliation of: (i) priority,

secured and administrative Claims (“**PSA Claims**”); (ii) general unsecured Claims; and (iii) Interests.

25. In that regard, the Liquidating Trustee has determined that the Misclassified Claims are objectionable on substantive grounds and should be reclassified to general unsecured status, either in whole or in part, because the Books and Records show that such Claims are not entitled to the priority asserted in the applicable Proof of Claim, either in whole or in part (*See*, column titled “Asserted Claim Priority” on **Schedule 1**).

26. At this time, the Liquidating Trustee is not seeking to allow or disallow and/or reduce the Misclassified Claims listed in the “Modified Claim Amount and Priority” column on **Schedule 1**. In other words, the Misclassified Claims listed in the “Modified Claim Amount and Priority” column on **Schedule 1** may be subject to further objection by the Liquidating Trustee. However, the Liquidating Trustee objects to each of the Misclassified Claims and requests that each such Misclassified Claim be reclassified, either in whole or in part, as set forth on **Schedule 1**.

RELIEF REQUESTED

27. By this Objection and for the reasons described more fully herein, the Liquidating Trustee objects to the Misclassified Claims set forth on **Schedule 1** to the Proposed Order, with all rights reserved to further object to any of the Misclassified Claims on any basis, at a later date. In that regard, the Liquidating Trustee respectfully requests entry of the Proposed Order reclassifying the Misclassified Claims to general unsecured status, either in whole or in part, as applicable.

BASIS FOR RELIEF

28. Bankruptcy Code section 502(a) provides, in pertinent part, as follows: “[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects.” *See* 11 U.S.C. § 502(a). Further, Bankruptcy Code section 502(b)(1) provides that a court “shall determine the amount of such claim . . . as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that—such claim is unenforceable against the debtor and the property of the debtor.” *See id.* § 502(b)(1).

29. The burden of proof for determining the validity of claims rests on different parties at different stages of the objection process. *See In re Allegheny Int’l Inc.*, 954 F.2d 167, 173-74 (3d Cir. 1992). By completing Official Form 410 and timely filing the claim on the docket, a proof of claim is deemed to be an allowed claim unless an objection is interposed. *See id.* at 173-74 (citation omitted). The filing of a proof of claim thus shifts the burden to the objector to prove why the claim should not be allowed. *See id.*

30. Once the *prima facie* validity of a claim is rebutted, “it is for the claimant to prove his claim, not for the objector to disprove it.” *In re Kahn*, 114 B.R. 40, 44 (Bankr. S.D.N.Y. 1990) (citations omitted).

31. Moreover, Bankruptcy Rule 3007 provides certain grounds upon which “objections to more than one claim may be joined in a single objection.” *See* Fed. R. Bankr. P. 3007(d). Local Rule 3007-1 governs omnibus objections to Claims in this District and “applies to an omnibus objection to claims. . . . [i.e.,] an objection that objects to claims filed by different claimants.” *See* Del. Bankr. L.R. 3007-1(a).

32. Pursuant to Local Rule 3007-1(c) and the Claims Objection Procedures, the Liquidating Trustee may file omnibus objections on a substantive basis to Claims that are incorrectly or improperly classified.

33. For the reasons set forth herein, there is ample evidence to rebut the *prima facie* validity of each of the Misclassified Claims. The Misclassified Claims are unenforceable against the Debtors and their estates in the priority asserted, either in whole or in part, for the reasons set forth herein and in the Wright Declaration.

34. Each Misclassified Claim was filed against a Debtor for certain amounts allegedly owed by that Debtor. The Misclassified Claims must be reclassified because a review of the Books and Records, as well as the documentation (or lack thereof) submitted in support of the Misclassified Claims, established that the Misclassified Claims were asserted with the incorrect priority status, either in whole or in part. *See* Wright Declaration ¶ 5.

35. If the Misclassified Claims are not reclassified to general unsecured status (either in whole or in part, as applicable), the potential exists for the applicable claimants to receive recoveries to which they are not entitled, to the detriment of the Debtors' other stakeholders.

36. Therefore, pursuant to Bankruptcy Code section 502(b)(1), Bankruptcy Rule 3007, Local Rule 3007-1(c) and the Claims Objection Procedures, the Liquidating Trustee respectfully requests that the Court enter the Proposed Order granting the relief requested herein.

RESPONSES TO OMNIBUS OBJECTIONS

37. To contest this Objection, the holders of the Misclassified Claims listed on **Schedule 1** to the Proposed Order must file and serve a written response (a "**Response**") so that it is received no later than **December 1, 2025 at 4:00 p.m. (Eastern Time)** (the "**Response Deadline**"). The Response must be filed with the Office of the Clerk of the United States

Bankruptcy Court for the District of Delaware: 824 North Market Street, Wilmington, Delaware 19801, and served upon the following entities, so that the Response is received no later than the Response Deadline, at the undersigned addresses for counsel to the Liquidating Trustee.

38. Every Response to this Objection must contain, at a minimum, the following information:

- i. a caption setting forth the name of the Court, the name of the Debtors, the case number, and the title of the objection to which the response is directed;
- ii. the name of the claimant, his/her/its Claim number, and a description of the basis of the Claim;
- iii. the specific factual basis and supporting legal argument upon which the party will rely in opposing this Objection;
- iv. any supporting documentation, to the extent it was not included with the Proof of Claim, previously filed with the clerk or claims agent, upon which the party will rely to support the basis for and amounts asserted in the Proof of Claim; and
- v. the name, address, telephone number, email address and fax number of the persons (which may be the claimant or the claimant's legal representative) with whom counsel for the Liquidating Trustee should communicate with respect to the Claim and/or the Objection and who possesses authority to reconcile, settle, or otherwise resolve the Objection to the Misclassified Claim on behalf of the claimant.

39. If a claimant fails to file and serve a timely Response by the Response Deadline, the Liquidating Trustee will present to the Court an appropriate order reclassifying the Misclassified Claims without further notice to the claimant.

REPLIES TO RESPONSES

40. Consistent with Local Rule 9006-1(d), the Liquidating Trustee may, at his option, file and serve a reply to a Response no later than 4:00 p.m. (Prevailing Eastern Time) one (1) day prior to the deadline for filing the agenda for any hearing to consider the Objection.

SEPARATE CONTESTED MATTERS

41. Each of the above objections to the Misclassified Claims constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. The Liquidating Trustee requests that any order entered by this Court with respect to an objection asserted in this Objection shall be deemed a separate order with respect to each Claim.

RESERVATION OF RIGHTS

42. The Liquidating Trustee expressly reserves the right to amend, modify or supplement this Objection and to file additional objections on any applicable grounds to the Misclassified Claims or any other Claims (filed or not) which may be asserted against the Debtors and/or the Liquidating Trust. Should one or more of the grounds of objection stated in this Objection be dismissed, the Liquidating Trustee reserve his rights to object on other stated grounds or on any other grounds that the Liquidating Trustee discovers during the pendency of these Chapter 11 Cases.

NOTICE

43. Notice of this Objection has been provided via first-class mail and e-mail (if available) to (i) the Office of the United States Trustee for the District of Delaware; (ii) all the claimants listed on **Schedule 1** to the Proposed Order and their counsel, if known; and (iii) any persons who have filed a request for notice in these Chapter 11 Cases pursuant to Bankruptcy Rule 2002.

STATEMENT OF COMPLIANCE WITH LOCAL RULE 3007-1

44. The undersigned representative of Cole Schotz P.C. ("**Cole Schotz**") certifies that the firm has reviewed the requirements of Local Rule 3007-1 and that the Objection substantially complies with that Local Rule. To the extent that the Objection does not comply in all respects

with the requirements of Local Rule 3007-1, Cole Schotz asserts that such deviations are not material and respectfully requests that any such requirement be waived.

CONCLUSION

45. Accordingly, the Liquidating Trustee respectfully requests that this Court: (i) enter the Proposed Order attached hereto as **Exhibit A** reclassifying the Misclassified Claims, either in whole or in part, as applicable; and (ii) grant such other and further relief as is just and proper.

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Dated: November 3, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Stacy L. Newman

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Co-Counsel to the Liquidating Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Hearing Date: December 16, 2025 at 2:00 p.m. (ET)

Objection Deadline: December 1, 2025 at 4:00 p.m. (ET)

**NOTICE OF LIQUIDATING TRUSTEE'S THIRTEENTH OMNIBUS OBJECTION
(SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN MISCLASSIFIED CLAIMS**

**TO THE HOLDERS OF CLAIMS ON SCHEDULE 1 TO THE PROPOSED ORDER
ANNEXED TO THE OBJECTION AS EXHIBIT A:**

- **YOUR SUBSTANTIVE RIGHTS MAY BE AFFECTED BY THIS OBJECTION AND BY ANY FURTHER OBJECTION THAT MAY BE FILED BY THE LIQUIDATING TRUSTEE**
- **YOU ARE DIRECTED TO LOCATE YOUR CLAIM ON SCHEDULE 1 ATTACHED TO THE PROPOSED ORDER**
- **THE RELIEF SOUGHT HEREIN IS WITHOUT PREJUDICE TO THE LIQUIDATING TRUSTEE'S RIGHTS, OR THE RIGHTS OF OTHER PARTIES-IN-INTEREST, TO PURSUE FURTHER SUBSTANTIVE OR NON-SUBSTANTIVE OBJECTIONS AGAINST THE CLAIMS ADDRESSED HEREIN**

PLEASE TAKE NOTICE, that on November 3, 2025, Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust, filed the *Liquidating Trustee's Thirteenth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified Claims* (the "**Objection**") with the United States Bankruptcy Court for the District of Delaware (the "**Court**"). A copy of the Objection is enclosed herein.

PLEASE TAKE FURTHER NOTICE, that responses, if any, to the Objection must be filed with the Clerk of the Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before **December 1, 2025 at 4:00 p.m. (ET)** (the "**Response Deadline**"). At the same time,

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you must serve a copy of the response upon the undersigned counsel so as to be received on or before the Response Deadline.

PLEASE TAKE FURTHER NOTICE, that, if a response is timely filed and served, and such objection or response is not otherwise timely resolved, a hearing with respect to the Objection will be held before The Honorable Thomas M. Horan, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3rd Floor, Courtroom #7, Wilmington, Delaware 19801 on **December 16, 2025 at 2:00 p.m. (ET)**.

PLEASE TAKE FURTHER NOTICE THAT IF NO RESPONSE IS RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY ENTER THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

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Dated: November 3, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Stacy L. Newman

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Co-Counsel to the Liquidating Trustee

Exhibit A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Re: D.I. ____

**ORDER GRANTING LIQUIDATING TRUSTEE'S THIRTEENTH OMNIBUS
OBJECTION (SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P.
3007 AND LOCAL RULE 3007-1 TO CERTAIN MISCLASSIFIED CLAIMS**

THIS MATTER having come before the Court² upon the *Liquidating Trustee's Thirteenth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified Claims* (the "**Objection**"), filed by Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust, seeking entry of an order pursuant to 11 U.S.C. § 502, Bankruptcy Rule 3007 and Local Rule 3007-1 reclassifying the Misclassified Claims listed on **Schedule 1** annexed hereto to the priority status set forth thereon, either in whole or in part; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. §157; and it appearing that venue of this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and adequate notice of the Objection and opportunity for response having been given; and it appearing that no other notice need be given;

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² Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Objection.

and the Court having considered the Objection, the Misclassified Claims listed on **Schedule 1** annexed hereto, and any responses thereto; and upon the record herein; and, after due deliberation and sufficient cause appearing therefore, it is FOUND AND DETERMINED that:

A. This Objection is a core proceeding under 28 U.S.C. § 157(b)(2).

B. Each holder of a Misclassified Claim listed on **Schedule 1** attached hereto was properly and timely served with a copy of the Objection, the Wright Declaration, this Order, the accompanying schedule of Misclassified Claims, and the notice of Objection.

C. Any entity known to have an interest in the Misclassified Claims subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.

D. The relief requested in the Objection is in the best interests of the Debtors' creditors, the Debtors' estates, the Liquidating Trust and other parties-in-interest; and it is therefore:

ORDERED that:

1. The Objection is GRANTED as set forth herein.

2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.

3. Each of the Misclassified Claims listed on **Schedule 1** hereto is reclassified, either in whole or in part, as applicable, to the status set forth thereon.

4. The Liquidating Trustee's rights to further object at a later date and on any basis to Misclassified Claims on **Schedule 1** hereto, if necessary, are fully preserved.

5. The official claims register in these Chapter 11 Cases shall be modified in accordance with this Order.

6. The Liquidating Trustee's rights and the rights of other parties in interest to file additional objections to the Misclassified Claims or any other Claims (filed or not) which may be asserted against the Debtors and/or the Liquidating Trust, for any reason, are preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Liquidating Trustee's rights and the rights of other parties in interest to object on other stated grounds or on any other grounds that the Liquidating Trustee or other parties-in-interest may discover are further preserved.

7. Notwithstanding the possible applicability of Bankruptcy Rules 6004, 7062, 9014 or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry. All time periods set forth in the Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

8. This Court shall retain jurisdiction over the Liquidating Trustee and the claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection and the implementation of this Order.

Schedule 1

Row	Claim #	Claimant	Asserted Claim				Modified Claim	
			Administrative Amount	Priority Amount	Secured Amount	General Unsecured Amount	Modified Claim Amount and Priority	Reasons for Modification
1	1001	Abuliak, Pablo		\$5,000.00			\$3,350 Priority, \$1,650.00 General Unsecured	Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$1,650.00 should be reclassified as a general unsecured Claim.
2	2327	Ackles, Adrian			\$5,250.00		\$3,350.00 Priority, \$1,900.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "car reservation" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$3,350.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
3	677	Belza, Vivienne			\$250.00		\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Reservation PR-QHR4D on Aug 10, 2023 for a Fisker PEAR. Fisker is currently unable to refund charges" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
4	4173	Biggs, Jeremy			\$50,000.00		\$50,000.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
5	3677	Boscaiu, Ciprian			\$250.00		\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit for Fisker Pear" in Box 9 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
6	3688	Boyd, Ryan James		\$3,350.00		\$74,492.15	\$77,842.15 General Unsecured	Claim number 3688 does not meet the criteria for priority treatment under 11 U.S.C. § 507(a)(7) as the allegedly defective and/or unassembled equipment was actually delivered to the Claimant. Therefore, the Claim should be reclassified as a general unsecured Claim.
7	2349	Bui, Tuyen			\$500.00		\$500.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposits for 2 cars" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$500.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
8	765	Cano, Cesar			\$250.00		\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit on Automobile" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
9	1009	Cheung-Wu, Amy			\$500.00		\$500.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Paid deposits for products not provided" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$500.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
10	827	Dobson, Todd			\$5,250.00		\$3,350.00 Priority, \$1,900.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit Down Payment for an undelivered vehicle" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$3,350.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
11	2690	Ekenstedt, Eliabeth			\$78,828.00	\$2,845.75	\$81,673.75 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
12	4247	Ellis, Nicole			\$153,359.64		\$153,359.64 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.

13	1105 Etemadnia, Amirali		\$250.00		\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "250 Dollars order fee reClaim" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
14	4081 Farrell, Michael	\$250.00	\$250.00		\$250.00 Priority	Claimant filed a Claim in the amount of \$250.00 and checked the box for both 11 U.S.C. § 507(a)(7) priority status and 11 U.S.C. § 503(b)(9) administrative status. Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Claimant lists "money loaned for reservation of vehicle" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7). \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
15	4076 Fearon, Ray			\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit for purchase" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
16	4274 Fields, John	\$175.00			\$175.00 General Unsecured	Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Claimant lists "Recalled pump replacement reimbursement for labor cost" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, this Claim should be reclassified as a general unsecured Claim.
17	893 Fisher, Abigail			\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Downpayment of 250 US dollars on Fisker Ocean" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
18	3699 Hernandez, Dean	\$250.00	\$250.00	\$250.00	\$250.00 Priority	Claimant filed a Claim in the amount of \$250.00 and checked the box for secured status, 11 U.S.C. § 507(a)(7) priority status and 11 U.S.C. § 503(b)(9) administrative status. Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Claimant lists "250 deposit" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
19	4094 Kalidindi, Brijesh			\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Paid money towards Fisker Ocean reservation; Receipt from Fisker Inc. Receipt #1188-4683; OC-YF9K9" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
20	870 Kaplan, David			\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "250 Deposit Never Returned" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
21	4183 Khan, Naveed	\$350.00			\$350.00 General Unsecured	Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Therefore, the Claim should be reclassified as a general unsecured Claim.
22	1247 Kollu, Srinivasa			\$5,250.00	\$3,350.00 Priority, \$1,900.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Money loaned for order" as the basis of the Claim in Box 8 of the applicable Proof of Claim form, and "I paid USD5000 for order fees 250 for reservation" in Box 9. Therefore, \$3,350.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).

					Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "1000 dollars paid to book the car" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$1,000.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
23	1055 Kumar, Prashant	\$1,000.00	\$1,000.00	Priority	
24	4287 Kumar, Sanil	\$25,000.00	\$25,000.00	General Unsecured	Claimant has not provided any documentation to support a priority Claim under 11 U.S.C. § 507(a)(4) or (a)(8). Therefore, the Claim should be reclassified as a general unsecured Claim.
25	2524 Lawlor, Mark	\$3,500.00	\$65,819.00	\$69,319.00 General Unsecured	Claimant has not provided any documentation to support a priority Claim under 11 U.S.C. § 507(a)(7), as the allegedly defective and/or unassembled equipment was actually delivered to the Claimant. Therefore, the Claim should be reclassified as a general unsecured Claim.
26	569 Lazaro, Carlos	\$79,902.00	\$79,902.00	General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
27	Ludwick, Monica 4152 Natalia	\$250.00	\$250.00	Priority	Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Claimant lists "I would like my 250 dollar deposit returned for Ocean vehicle not purchased" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
28	Lukasiewicz, 233 Andrew	\$41,000.00	\$34,712.69	\$75,712.69 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
29	4046 Metzger, Melinda J.	\$5,250.00	\$3,350 Priority, \$1,900.00 General Unsecured		Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$1,900.00 should be reclassified as a general unsecured Claim.
30	54 Mirosha, Iman	\$62,531.00	\$11,158.00	\$73,689.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
31	786 Mizyed, Sabha	\$1,000.00	\$1,000.00	Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Goods Sold Never Received" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$1,000.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
32	4078 Myers, Dawn	\$250.00	\$250.00	Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit to hold a reservation to lease a car. The deposit would be applied towards the purchase." as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
33	Nat-Booter, Amrita 1880 Kaur	\$750.00	\$750.00	Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$750.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
34	Neumeier White, 1255 Laura	\$1,000.00	\$1,000.00	Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$1,000.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
35	4236 Parakh, Siddharth	\$303.05	\$303.05	General Unsecured	Claimant has not provided any documentation to support that the Claim is entitled to administrative priority under 11 U.S.C. § 503(b)(9). Claimant lists "Purchased a Wallbox charger which was never delivered" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$303.05 should be reclassified as a general unsecured Claim.
36	3083 Parikh, Ashish	\$5,350.00	\$3,350 Priority, \$2,000.00 General Unsecured		Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$2,000.00 should be reclassified as a general unsecured Claim.

37	Park, M.D., Steven 638 E.	\$3,350.00	\$70,906.06 \$74,256.06 General Unsecured	Claimant has not provided any documentation to support a priority Claim under 11 U.S.C. § 507(a)(7), as the allegedly defective and/or unassembled equipment was actually delivered to the Claimant. Therefore, the Claim should be reclassified as a general unsecured Claim.
38	3035 Patel, Bhavin	\$5,644.09	\$3,350 Priority, \$2,294.09 General Unsecured	Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$2,294.09 should be reclassified as a general unsecured Claim.
39	1270 Patel, Rajan	\$5,350.00	\$3,350 Priority, \$2,000.00 General Unsecured	Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$2,000.00 should be reclassified as a general unsecured Claim.
40	Pathikonda, 959 Padmanab	\$1,000.00	\$1,000.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Deposit for the Fisker Ocean car reservation" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$1,000.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
41	Robinson, Stevan 696 Michael	\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Down-payment to hold vehicle" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
42	Salinas, Ronald 4093 Rodolfo	\$5,000.00	\$3,350.00 Priority, \$1,650.00 General Unsecured	Claim is above the amount for priority treatment under 11 U.S.C. § 507(a). Therefore, \$1,650.00 should be reclassified as a general unsecured Claim.
43	4191 Thompson, Chuck	\$3,720.00	\$3,720.00 General Unsecured	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Therefore, the Claim should be reclassified as a general unsecured Claim.
44	Thyagarajan, 4107 Venkatesh	\$5,000.00	\$250.00 Priority, \$4,750.00 General Unsecured	Claimant has provided documentation that a portion of the Claim in the amount of \$250.00 meets the criteria for priority treatment under 11 U.S.C. § 507(a)(7). Claimant has not provided any documentation that the remaining portion of the Claim is entitled to priority treatment. Therefore, \$4,750.00 should be reclassified as a general unsecured Claim.
45	841 Toyoji, Edward	\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Fisker Reservation Purchased" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
46	3657 Trump, Edan	\$3,350.00	\$73,573.23 \$76,923.23 General Unsecured	Claimant has not provided any documentation to support a priority Claim under 11 U.S.C. § 507(a)(7), as the allegedly defective and/or unassembled equipment was actually delivered to the Claimant. Therefore, the Claim should be reclassified as a general unsecured Claim.
47	1162 Velasco, David	\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Goods Reserved not received" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).
48	3662 Von Burg, Philip	\$3,350.00	\$102,623.00 \$105,973.00 General Unsecured	Claimant has not provided any documentation to support a priority Claim under 11 U.S.C. § 507(a)(7) as the Claimant has not provided any information or documentation establishing an unreceived good or service. Therefore, the Claim should be reclassified as a general unsecured Claim.
49	1046 Welsh, William	\$250.00	\$250.00 Priority	Claimant has not provided any documentation to support a secured Claim. The Claimant holds no lien to secure the Claim, and the Claim is therefore ineligible for secured status. Claimant lists "Down payment towards purchase" as the basis of the Claim in Box 8 of the applicable Proof of Claim form. Therefore, \$250.00 should be reclassified as a priority Claim under 11 U.S.C. § 507(a)(7).

Exhibit B

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FISKER, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

**DECLARATION OF RICK WRIGHT IN SUPPORT OF LIQUIDATING TRUSTEE'S
THIRTEENTH OMNIBUS OBJECTION (SUBSTANTIVE) PURSUANT TO 11 U.S.C. §
502, FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN
MISCLASSIFIED CLAIMS**

I, Rick Wright, hereby declare under penalty of perjury:

1. I submit this declaration (the “**Declaration**”) in support of the *Liquidating Trustee’s Thirteenth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain Misclassified Claims* (the “**Objection**”),² filed by Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust.

2. I am a Managing Director at Dundon Advisers. In that capacity, I work under the direction of the Liquidating Trustee. I am familiar with the Debtors’ day-to-day operations, businesses, financial affairs, and Books and Records. I make this Declaration on the basis of the review, by myself and those under my direction, of the Debtors’ respective Books and Records, the register of claims (the “**Claims Register**”) prepared and provided by the Debtors’ (and the

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors’ corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

² Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Objection.

Liquidating Trust's) notice and claims agent, Kurtzman Carson Consultants dba Verita Global, and the Proofs of Claim filed in these Chapter 11 Cases.

3. All matters set forth in this Declaration are based on: (a) my personal knowledge; (b) my review of relevant documents; (c) my view, based on my experience and knowledge of the Debtors' operations and Books and Records; (d) information supplied to me by others at my request; and (e) as to matters involving United States bankruptcy law or rules or other applicable laws, my reliance on the advice of counsel or other advisors to the Liquidating Trustee.

4. If called upon to testify, I could and would testify competently to the facts set forth herein. I have read the Objection, the Proposed Order, and **Schedule 1** attached to the Proposed Order, and I am familiar with the information contained therein. To the best of my knowledge and belief, and based on the information and records available to me, the assertions made in the Objection are accurate.

5. Upon the review of the Proofs of Claim filed in these Chapter 11 Cases, I have identified the Misclassified Claims. To the best of my knowledge, information, and belief, and insofar as I have been able to ascertain after reasonable inquiry and investigation of the Books and Records, the Proofs of Claim, and all documentation submitted with the Proofs of Claim, each of the Claims listed on **Schedule 1** attached to the Proposed Order represent Misclassified Claims that should be reclassified, either in whole or in part, as applicable, for the reasons set forth on **Schedule 1** to the Proposed Order.

6. Accordingly, based upon my review of the Claims Register and the Books and Records, I believe that granting the relief requested in the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and their creditors.

Dated: November 3, 2025

/s/ Rick Wright

Rick Wright