

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 FOURTEENTH OMNIBUS OBJECTION (NON-
SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN (I) AMENDED AND SUPERSEDED CLAIMS;
AND (II) EQUITY CLAIMS

*****CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES
AND CLAIMS ON SCHEDULE 1 AND SCHEDULE 2 TO THE PROPOSED ORDER*****

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust (the "**Liquidating Trust**"), hereby submits this fourteenth omnibus objection (the "**Objection**") seeking entry of an order (the "**Proposed Order**"), substantially in the form annexed hereto as **Exhibit A**, pursuant to section 502 of title 11 of the United States Code (the "**Bankruptcy Code**"), Rule 3007 of the 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Court for the District of Delaware (the "**Local Rules**"): (i) disallowing in full and expunging the amended and superseded Claims² listed on **Schedule 1** to the Proposed

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 Plan (as defined below).



Order (the “**Amended/Superseded Claims**”); and (ii) disallowing in part, or disallowing in full and expunging, as applicable, each Claim identified on **Schedule 2** to the Proposed Order because each such Claim is based upon, either in whole or in part, ownership of shareholder/equity security interests in the Debtors (the “**Equity Claims**” and, together with the Amended/Superseded Claims, the “**Disputed Claims**”). 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 Motion 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.³

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

³ 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 (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 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 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 Time Period Within Which the Liquidating Trustee May 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 and Interests, other than Administrative Claims, is January 12, 2026 (the “**Prepetition Claims and Interests Objection Deadline**”), 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 reconciliation process that is conducted in a timely, efficient, and cost-effective manner. *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 Reconciliation Process

20. In the ordinary course of business, the Debtors maintained books and records (the “**Books and Records**”) that reflect, *inter alia*, 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* D.I. 888, 889, 890, 910, 930, 956, 976, 977, 1054, 1055, 1097, 1131, 1171.

23. In addition to, and as part of, the formal objection process, the Liquidating Trustee continues to make progress in resolving certain remaining 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 process moving forward will focus mainly on the continued reconciliation of: (i) unresolved priority, secured and administrative Claims (“**PSA**

Claims”); (ii) general unsecured Claims; and (iii) Interests, among other categories of Claims and Interests.

25. The Liquidating Trustee has reviewed the Disputed Claims and has determined that such Claims are objectionable on non-substantive grounds and should be disallowed and expunged in full, or disallowed in part, as applicable, because such Claims are Amended/Superseded Claims or Equity Claims.⁴

RELIEF REQUESTED

26. By this Objection and for the reasons described more fully herein, the Liquidating Trustee objects to the Disputed Claims set forth on **Schedule 1** and **Schedule 2** to the Proposed Order. The Liquidating Trustee respectfully requests entry of the Proposed Order: (i) disallowing in full and expunging the Amended/Superseded Claims; and (ii) disallowing in full and expunging, or disallowing in part, as applicable, the Equity Claims.

BASIS FOR RELIEF

27. 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.” 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* 11 U.S.C. § 502(b)(1).

⁴ This Objection is expressly without prejudice to any and all rights of the Liquidating Trustee to bring future and/or additional objections to any of the Disputed Claims on any basis if applicable.

28. The burden of proof for determining the validity of claims rests on different parties at different stages of the objection process. As explained by United States Court of Appeals for the Third Circuit:

The burden of proof for claims brought in bankruptcy court under 11 U.S.C. § 502(a) rests on different parties at different times. Initially, the claimant must allege facts sufficient to support the claim. If the averments in his filed claim meet this standard of sufficiency, it is ‘prima facie’ valid. [citations omitted]. In other words, a claim that alleges facts sufficient to support legal liability to the claimant satisfies the claimants’ initial obligation to go forward. The burden of going forward then shifts to the objector to produce evidence sufficient to negate the prima facie validity of the filed claim . . . In practice, the objector must produce evidence which, if believed, would refute at least one of the allegations that is essential to the claim’s legal sufficiency. If the objector produces sufficient evidence to negate one or more of the sworn facts in the proof of claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence.

In re Allegheny Int’l Inc., 954 F.2d 167, 173-74 (3d Cir. 1992) (citation omitted).

29. 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).

30. Pursuant to Bankruptcy Rule 3007(d), a debtor is permitted to file omnibus objections to more than one claim on the bases enumerated therein, which include, among other things, that such claims “were not timely filed.” *See* Fed. R. Bankr. P. 3007(d)(4).

31. Additionally, 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. Further, Local Rule 3007-1(c) provides that “[a]n omnibus objection is deemed to be made on a substantive basis unless it is based on the following: ... (iii) Amended or superseded

claim; (v) Stockholder claim based on stock ownership, but not a stockholder claim for damages.” *See* Del. Bankr. L.R. 3007-1(c)(iii), (v).

33. For the reasons set forth below, there is ample evidence to rebut the *prima facie* validity of each of the Disputed Claims.

A. Amended/Superseded Claims

34. The Third Circuit has held that in the absence of prejudice, bankruptcy courts should allow amendments to proofs of claim to cure a defect in a claim as filed or to describe the claim with greater particularity. *See In re Edison Bros. Stores*, 2002 Bankr. LEXIS 1228 at * 10 (Bankr. D. Del. May 15, 2002) (stating that amendments are to be allowed where the original claim prompted notice to the court of the existence, nature, and amount of the claim, and are not allowed when they constitute the assertion of an entirely new claim). Amendments relate back to the date of the filing of the original claim. *See In re Metro Transp. Co.*, 117 B.R. 143, 147 (Bankr. E.D. Pa. 1990).

35. The Reviewing Parties have reviewed the Proofs of Claim listed on **Schedule 1** to the Proposed Order and determined that they have been amended and superseded by a later-filed Claim, filed by the same claimant asserting a Claim for the same liability (each, a “**Surviving Claim**”). The Liquidating Trustee therefore seeks to disallow in full and expunge the Amended/Superseded Claims, which have been superseded by the later-filed Surviving Claim, also identified on **Schedule 1** to the Proposed Order.

36. Unless the Amended/Superseded Claims are disallowed, the claimants listed on **Schedule 1** to the Proposed Order will receive a duplicative recovery from the Debtors’ estates. The claimants affected by the Objection will not be prejudiced if the Amended/Superseded Claims

are disallowed in full and expunged because each will retain the corresponding Surviving Claim that is identified on **Schedule 1** to the Proposed Order.

B. Equity Claims

37. The Equity Claims identified on **Schedule 2** to the Proposed Order were filed by claimants asserting rights to a distribution in the Chapter 11 Cases based, in whole or in part, upon ownership of Equity Interests in the Debtors.

38. An equity interest in a debtor, such as stock, is not considered a “claim” under the Bankruptcy Code. *See* 11 U.S.C. § 101(5)(A) (defining a “claim” as a “right to payment” or a “right to an equitable remedy for a breach of performance”); *see also In re Insilco Techs., Inc.*, 480 F.3d 212, 218 (3d Cir. 2007) (“[An equity interest] is not a claim at all”); *In re Hedged-Invs. Assocs.*, 84 F.3d 1267, 1272 (10th Cir. 1996) (“Simply put, an equity interest is not a claim against the debtor...”) (quotations omitted).

39. Moreover, consistent with Local Rule 3007-1(c)(v), each portion of the Claims listed on **Schedule 2** to the Proposed Order (or the entire Claim, as applicable) that assert ownership of Equity Interests do not allege damages associated therewith.

40. Further, pursuant to the Plan, all Class 6 equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and are not entitled to receive a recovery under the Plan. *See* Plan, Article VI.B.6.

41. The allowance of such Equity Claims would unjustifiably elevate the position of equity security holders to that of creditors, to the detriment of legitimate creditors in the Chapter 11 Cases. Accordingly, the Liquidating Trustee objects to the Equity Claims, and requests entry of the Proposed Order addressing each of the Equity Claims in the manner set forth on **Schedule 2** to the Proposed Order.

RESPONSES TO OMNIBUS OBJECTIONS

42. To contest the Objection, a claimant must file and serve a written response to this Objection (a “**Response**”) so that it is received no later than **December 1, 2025 at 4:00 p.m. (Eastern Time) (the “Response Deadline”)**. Every 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 undersigned counsel, so that the Response is received no later than the Response Deadline, at the undersigned addresses for co-counsel to the Liquidating Trustee.

43. 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 Disputed Claim on behalf of the claimant.

44. 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 disallowing in full and expunging, or disallowing in part, as applicable, the Disputed Claims without further notice to the claimant.

REPLIES TO RESPONSES

45. 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

46. Each of the above objections to the Disputed Claims constitutes 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

47. The Liquidating Trustee expressly reserves the right to amend, modify or supplement this Objection and to file additional objections to the Disputed 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

48. 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** and **Schedule 2** 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

49. The undersigned representative of Cole Schotz P.C. ("**Cole Schotz**") certifies that he 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

50. Accordingly, the Liquidating Trustee respectfully requests that this Court enter the Proposed Order attached hereto as **Exhibit A**: (i) disallowing in full and expunging the Amended/Superseded Claims; (ii) disallowing in full and expunging, or disallowing in part, as applicable, the Equity Claims; and (iii) grant such other and further relief as is just and proper.

Dated: November 6, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Stacy L. Newman

Justin R. Alberto (No. 5126)
Stacy L. Newman (No. 5044)
Melissa M. Hartlipp (No. 7063)
500 Delaware Avenue, Suite 600
Wilmington, Delaware 19801
Telephone: (302) 652-3131
Facsimile: (302) 652-3117
Email: jalberto@coleschotz.com
mhartlipp@coleschotz.com

-and-

ASK LLP

Jason C. DiBattista (admitted *pro hac vice*)
Brigette G. McGrath (admitted *pro hac vice*)
Rebecca Stark (admitted *pro hac vice*)
2600 Eagan Woods Drive, Suite 400
St. Paul, Minnesota 55121
Telephone: (651) 406-9665
Facsimile: (651) 406-9676

Email: jdibattista@askllp.com
bmcgrath@askllp.com
rstark@askllp.com

and-

Marianna Udem (admitted *pro hac vice*)
60 East 42nd Street, 46th Floor
New York, New York 10165
Telephone: (212) 267-7342
Facsimile: (212) 918-3427
Email: mudem@askllp.com

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 FOURTEENTH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND
LOCAL RULE 3007-1 TO CERTAIN (I) AMENDED AND SUPERSEDED CLAIMS;
AND (II) EQUITY CLAIMS**

*****CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES
AND CLAIMS ON SCHEDULE 1 AND SCHEDULE 2 TO THE PROPOSED ORDER**

PLEASE TAKE NOTICE, that on November 6, 2025, Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust, filed the *Liquidating Trustee’s Fourteenth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain (I) Amended and Superseded Claims; and (II) Equity 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, 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 #5, Wilmington, Delaware 19801 on **December 16, 2025 at 2:00 p.m. (ET)** (the “**Hearing**”).

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.

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.

Dated: November 6, 2025
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Stacy L. Newman

Justin R. Alberto (No. 5126)
Stacy L. Newman (No. 5044)
Melissa M. Hartlipp (No. 7063)
500 Delaware Avenue, Suite 600
Wilmington, Delaware 19801
Telephone: (302) 652-3131
Facsimile: (302) 652-3117
Email: jalberto@coleschotz.com
mhartlipp@coleschotz.com

-and-

ASK LLP

Jason C. DiBattista (admitted *pro hac vice*)
Brigette G. McGrath (admitted *pro hac vice*)
Rebecca Stark (admitted *pro hac vice*)
2600 Eagan Woods Drive, Suite 400
St. Paul, Minnesota 55121
Telephone: (651) 406-9665
Facsimile: (651) 406-9676
Email: jdibattista@askllp.com
bmcgrath@askllp.com
rstark@askllp.com

and-

Marianna Udem (admitted *pro hac vice*)
60 East 42nd Street, 46th Floor
New York, New York 10165
Telephone: (212) 267-7342
Facsimile: (212) 918-3427
Email: mudem@askllp.com

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 FOURTEENTH OMNIBUS
OBJECTION (NON-SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502, FED. R. BANKR.
P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN (I) AMENDED AND SUPERSEDED
CLAIMS; AND (II) EQUITY CLAIMS**

THIS MATTER having come before the Court² upon the *Liquidating Trustee’s Fourteenth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain (I) Amended and Superseded Claims; and (II) Equity 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: (i) disallowing in full and expunging the amended and superseded Claims listed on **Schedule 1** attached hereto (the “**Amended/Superseded Claims**”); and (ii) disallowing in part, or disallowing in full and expunging, as applicable, each Claim identified on **Schedule 2** attached hereto because each such Claim is based upon, either in whole or in part, ownership of shareholder/equity security interests in the Debtors; and it appearing that the Court has jurisdiction over this matter pursuant to 28

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.

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; and the Court having considered the Objection, the Disputed Claims listed on **Schedule 1** and **Schedule 2**, 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 Disputed Claim listed on **Schedule 1** and **Schedule 2** attached hereto was properly and timely served with a copy of the Objection, the Wright Declaration, this Order, the accompanying schedules of Disputed Claims, and the notice of Objection.
- C. Any entity known to have an interest in the Disputed 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 Claims listed as an Amended/Superseded Claim on **Schedule 1** hereto is hereby disallowed in full and expunged.

4. The Liquidating Trustee's rights to object to any of the Surviving Claims listed on **Schedule 1** hereto, at any time and for any reason, are fully preserved.

5. Each portion of the Claims listed on **Schedule 2** hereto constituting Equity Claims is hereby disallowed in full and expunged for all purposes.

6. The Liquidating Trustee's rights to object to any of the Surviving Claims listed on **Schedule 2** hereto (if applicable), at any time and for any reason, are fully preserved.

7. The Liquidating Trustee's rights to further object at a later date and on any basis to the Disputed Claims, if necessary, are fully preserved.

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

9. The Liquidating Trustee's rights and the rights of other parties in interest to file additional objections to the Disputed Claims or any other Claims (filed or not) which may be asserted against the Debtors and/or the Liquidating Trust, 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.

10. 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).

11. 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.

Row	Claimant	Amended and Superseded Claim			Surviving Claim			Reasons for Disallowance
		Claim #	Asserted Claim Amount	Asserted Priority	Claim #	Asserted Claim Amount	Asserted Priority	
1	Red 1000 LLC	3386	\$590,529.03	Administrative (\$23,286.35) General Unsecured (\$567,242.68)	4181	\$973,047.85	Administrative (\$29,238.45) ¹ General Unsecured (\$943,809.40)	Claim number 3386 was amended and superseded by Claim number 4181.
2	Salesforce, Inc.	675	\$2,238,416.64	Administrative (\$2,194,931.00) General Unsecured (\$43,485.64)	4164	\$2,238,416.64	Administrative (\$697,734.29) ² General Unsecured (\$1,540,682.35)	Claim number 675 was amended and superseded by Claim number 4164.
3	TomTom North America, Inc.	3021	\$692,941.31	Administrative (Unliquidated) 11 U.S.C. § 503(b)(9) Claim (\$12,472.94) General Unsecured (\$680,468.37)	4169	\$692,941.31	General Unsecured ³	Claim number 3021 was amended and superseded by Claim number 4169.
4	Ferrante Koberling Construction, Inc.	414	\$355,820.94	Secured	2094	\$355,820.94	General Unsecured ⁴	Claim number 414 was amended and superseded by Claim number 2094.

1. The administrative portion of Claim No. 4181 was fully resolved pursuant to the Stipulation filed at D.I. 816.
2. The administrative portion of Claim No. 4164 was fully resolved pursuant to the Stipulation filed at D.I. 818.
3. Claim No. 4169 was reclassified pursuant to the Order filed at D.I. 1146.
4. Claim No. 2094 was reclassified pursuant to the Order filed at D.I. 1034.

Row	Claim #	Claimant	Asserted Total Claim Amount	Asserted Priority	Surviving Claim (If Any)	Reasons for Disallowance
1	795	Bollinger, Tim	\$7,471.95	Priority (\$1,000.00) General Unsecured (\$6,471.95)	Priority (\$1,000.00)	Claimant lists "Deposit on goods, stock" as the basis of the Claim in Box 8 of the applicable Proof of Claim form and asserts that the Claim is entitled to priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,000.00. The total amount of the Claim is \$7,471.95. Claim No. 795 does not contain any supporting documentation. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, \$6,471.95, as the amount of the Claim not attributed to the priority Claim under 11 U.S.C. § 507(a)(7), should be disallowed.
2	1540	Dusa, Raul	\$5,850.00	Priority (\$250.00) General Unsecured (\$5,600.00)	Priority (\$250.00)	Claimant lists "Purchase deposit and purchase of shares" as the basis of the Claim in Box 8 of the applicable Proof of Claim form and asserts that the Claim is entitled to priority under 11 U.S.C. § 507(a)(7) in the amount of \$250.00. Claim No. 1540 attaches proof of stock ownership and Fisker order details. The total amount of the Claim is \$5,850.00. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, \$5,600.00, as the amount of the Claim not attributed to the priority Claim under 11 U.S.C. § 507(a)(7), should be disallowed.

3	4219	Kumaresan, Bhuvaneswari	\$10,641.00	11 U.S.C. § 503(b)(9) Claim (\$2,000.00) Priority (\$10,641)	Disallowed in full.	Claimant lists "Money lost" as the basis of the Claim in Box 8 of the applicable Proof of Claim form, and attaches only investment account statements establishing proof of Fisker stock ownership. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, the Claim should be disallowed in full.
4	1006	Needham, Mark	\$1,550.00	Priority (\$250.00) General Unsecured (\$1,300.00)	Priority (\$250.00)	Claimant lists "Deposit on Vehicle and Stock Purchase" as the basis of the Claim in Box 8 of the applicable Proof of Claim form and asserts that the Claim is entitled to priority under 11 U.S.C. § 507(a)(7) in the amount of \$250.00. The total amount of the Claim is \$1,550.00. Claim No. 1006 attaches proof of stock ownership and a Fisker receipt. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, \$1,300.00, as the amount of the Claim not attributed to the priority Claim under 11 U.S.C. § 507(a)(7), should be disallowed.
5	4261	Roy, Ranajit	\$2,135.00	Secured (\$2,135.00)	Disallowed in full.	Claimant lists "I own 134 shares through IG trading." as the basis of the Claim in Box 8 of the applicable Proof of Claim form and attaches only confirmation of Fisker share orders. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, the Claim should be disallowed in full.

6	1257	Schweitzer, Eric	\$75,000.00	Priority (\$15,150.00) General Unsecured (\$59,850.00)	Disallowed in full.	Claimant lists "RSU grant as part of compensation" as the basis of the Claim in Box 8 of the applicable Proof of Claim form, and attaches only an employment agreement that grants Restricted Stock Units subject to multiple vesting dates. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, the Claim should be disallowed in full.
7	4123	Stanton, Ann Marie	\$25,358.66	Priority (\$25,500.00)	Disallowed in full.	Claimant lists "Stocks" as the basis of the Claim in Box 8 of the applicable Proof of Claim form, and attaches only proof of Fisker stock ownership. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, the Claim should be disallowed in full.
8	4250	Whitmer, Therese	\$810.66	Secured (\$810.66) Priority (\$810.66) 11 U.S.C. § 503(b)(9) Claim (\$810.66)	Disallowed in full.	Claimant lists "I lost money in the fisher stock" as the basis of Claim in Box 8 of the applicable Proof of Claim form, and does not attach any supporting documentation. The ownership of an equity security in any debtor entity is not a "Claim" within the meaning of 11 U.S.C. § 101(5). Further, pursuant to the Plan, all equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and do not receive a recovery under the Plan. Therefore, the Claim should be disallowed in full.

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
FOURTEENTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) PURSUANT TO 11
U.S.C. § 502, FED. R. BANKR. P. 3007 AND LOCAL RULE 3007-1 TO CERTAIN (I)
AMENDED AND SUPERSEDED CLAIMS; AND (II) EQUITY CLAIMS**

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

1. I submit this declaration (the “**Declaration**”) in support of the *Liquidating Trustee’s Fourteenth Omnibus Objection (Non-Substantive) Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Local Rule 3007-1 to Certain (I) Amended and Superseded Claims; and (II) Equity 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. I have read the Objection, the Proposed Order, and **Schedule 1** and **Schedule 2** attached to the Proposed Order, and I am familiar with the information contained therein.

4. During the Claims reconciliation process, the Reviewing Parties have conducted, and continue to conduct, a review of the Proofs of Claim filed in the Chapter 11 Cases. In this regard, I, or another person at my direction, participated in the review of both the Claims Register and the Books and Records and identified certain Disputed Claims that are objectionable on non-substantive grounds, i.e., the Amended/Superseded Claims and the Equity Claims.

5. 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** and **Schedule 2** attached to the Proposed Order represent Disputed Claims that should be addressed in the manner set forth on the applicable schedule.

A. Amended/Superseded Claims

6. To the best of my knowledge, information and belief, and based on the information and the Books and Records available to me, each of the Amended/Superseded Claims identified

on **Schedule 2** to the Proposed Order is superseded by the “Surviving Claim” indicated thereon and should be therefore disallowed and expunged.

7. To the best of my knowledge and belief, and based on the information and Books and Records available to me, failure to disallow and expunge the Amended/Superseded Claims could result in the applicable claimant receiving an unwarranted recovery against the Debtors, to the detriment of other stakeholders. Accordingly, I believe that the Court should grant the relief requested in the Objection with respect to the Amended/Superseded Claims.

C. Equity Claims

8. To the best of my knowledge, information and belief, and based on the information and the Books and Records available to me, each of the Equity Claims identified on **Schedule 3** to the Proposed Order are based, in whole or in part, upon ownership of shareholder/equity interests and do not allege damages associated therewith.

9. Each of the Equity Claims identified on **Schedule 3** to the Proposed Order therefore do not constitute “claims” against any of the Debtors’ estates within the meaning of section 101(5) of the Bankruptcy Code, either in whole or in part, as applicable.

10. Further, pursuant to the Plan, all Class 6 equity interests in the Debtors were deemed cancelled and extinguished as of the Effective Date and not entitled to a recovery under the Plan.

11. To the best of my knowledge and belief, and based on the information and Books and Records available to me, if the Equity Claims are not disallowed and expunged (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 other stakeholders. Accordingly, I believe that the Court should grant the relief requested in the Objection with respect to the Equity Claims.

D. Conclusion

12. 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 6, 2025

/s/ Rick Wright

Rick Wright