

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)

**STIPULATION BY AND BETWEEN MATTHEW DUNDON, SOLELY IN HIS
CAPACITY AS THE LIQUIDATING TRUSTEE OF THE FISKER LIQUIDATING
TRUST AND LINKEDIN CORPORATION REGARDING PROOF OF CLAIM NO. 4148**

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the “**Liquidating Trustee**”) of the Fisker Liquidating Trust (the “**Liquidating Trust**”), and LinkedIn Corporation (“**LinkedIn**” and, together with the Liquidating Trustee, the “**Parties**”) hereby enter into this stipulation (the “**Stipulation**”) as follows:

WHEREAS, on June 17, 2024 (the “**Petition Date**”), Fisker Group Inc. filed a voluntary petition under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”), and, on June 19, 2024, the other Debtors also filed voluntary petitions under chapter 11 of the Bankruptcy Code, thereby commencing the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”).

WHEREAS, 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].²

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.



WHEREAS, 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].

WHEREAS, pursuant to the Confirmation Order, the appointment of the Liquidating Trustee was approved in all respects.

WHEREAS, on October 17, 2024 (the “**Effective Date**”), the Plan went effective as set forth in the *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].

WHEREAS, 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.

WHEREAS, the Plan provides that, after the Effective Date, the Liquidating Trustee, subject to the Liquidating Trust Agreement:

[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); and (c) direct the Claims and Noticing Agent to adjust the claims register to reflect any such resolutions without any further notice to or action, order, or approval by the Bankruptcy Court.

See Plan, Article X.B.

WHEREAS, on September 11, 2024, LinkedIn filed Proof of Claim No. 3598 (“**Claim No. 3598**”) in the total amount of \$758,573.75. LinkedIn asserted that a portion of Claim No. 3598

in the amount of \$102,675.64 is entitled to priority under Bankruptcy Code section 507(a)(2) for post-petition amounts alleged to be owed by the Debtors, with the remainder of Claim No. 3598 asserted as a general unsecured Claim.

WHEREAS, on September 23, 2024, the Court entered its *Third Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (the “**Rejection Notice**”) [D.I. 586]. Pursuant to the Rejection Notice, the license agreement between LinkedIn and Fisker, Inc. was rejected as of September 23, 2024.

WHEREAS, on November 6, 2024, LinkedIn filed Proof of Claim No. 4148 (“**Claim No. 4148**”), which amended Claim No. 3598, in the total amount of \$758,573.75. LinkedIn asserted that a portion of Claim No. 4148 in the amount of \$102,675.64 is entitled to priority under Bankruptcy Code section 507(a)(2) for post-petition amounts alleged to be owed by the Debtors, with the remainder of Claim No. 3598 asserted as a general unsecured Claim.

WHEREAS, following discussions, and for good consideration, the Parties have reached an agreement resolving Claim No. 4148, which agreement is memorialized herein.

1. Claim No. 4148 is hereby reclassified, fixed and allowed in the total amount of \$758,573.75, apportioned as follows:

- a) A portion of Claim No. 4148 comprising \$75,857.76 is deemed an allowed administrative expense Claim (the “**Administrative Claim**”) in the Chapter 11 Cases pursuant to section 503(b)(1) of the Bankruptcy Code and shall receive treatment in accordance with the Plan; and
- b) A portion of Claim No. 4148 comprising \$682,716.00 is deemed an allowed Class 4 general unsecured Claim in the Chapter 11 Cases and shall receive treatment in accordance with the Plan.

2. Claim No. 3598 is deemed withdrawn for all purposes and shall not be reasserted in whole or in part.

3. Other than Claim No. 3598 and Claim No. 4148, LinkedIn has not asserted and shall not be entitled to assert any additional Claims against the Debtors and/or the Liquidating Trust in connection with the Chapter 11 Cases.

4. The Parties each declare that their respective decisions in executing this Stipulation are not predicated on or influenced by any declaration or representation of the other Party, except as otherwise expressly provided herein.

5. This Stipulation may be executed in one or more counterparts and by electronic copy, each of which will be considered effective as an original signature.

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IN WITNESS WHEREOF and in agreement herewith, by and through the undersigned,
the Parties have executed and delivered this Stipulation as of the date set forth below.

Dated: November 17, 2025

<p><u>/s/ Justin R. Alberto</u> COLE SCHOTZ P.C. Justin R. Alberto (No. 5126) Melissa M. Hartlipp (No. 7063) 500 Delaware Avenue, Suite 600 Wilmington, DE 19801 Telephone: (302) 652-3131 Facsimile: (302) 652-3117 Email: jalberto@coleschotz.com mhartlipp@coleschotz.com</p> <p>-and-</p> <p>ASK LLP Jason C. DiBattista (admitted <i>pro hac vice</i>) Brigette G. McGrath (admitted <i>pro hac vice</i>) Rebecca Stark (admitted <i>pro hac vice</i>) 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</p> <p>-and-</p> <p>Marianna Udem (admitted <i>pro hac vice</i>) 60 East 42nd Street, 46th Floor New York, New York 10165 Telephone: (212) 267-7342 Facsimile: (212) 918-3427 E-mail: mudem@askllp.com</p> <p><i>Co-Counsel to the Liquidating Trustee</i></p>	<p><u>/s/ David P. Papiez</u> FOX ROTHSCHILD LLP David P. Papiez 1001 4th Avenue, Suite 4400 Seattle, WA 98154 Phone: (206) 389-1566 Email: dpapiez@foxrothschild.com</p> <p><i>Counsel to LinkedIn Corporation</i></p>
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