

UPDATED RESPONSE OF CLAIMANT VIRAG DESAI

TO LIQUIDATING TRUSTEE'S SIXTEENTH OMNIBUS OBJECTION (SUBSTANTIVE)

Claimant Virag Desai ("Claimant"), appearing pro se, submits this Updated Response to the Liquidating Trustee's Sixteenth Omnibus Objection (Substantive) and respectfully states as follows:

1. Claimant filed Proof of Claim No. 1582 asserting a General Unsecured Claim arising from damages related to the purchase, ownership, loss of warranty coverage, loss of vehicle features, software-related failures, and extraordinary depreciation of a Fisker Ocean vehicle.
2. Claimant acknowledges that loss of vehicle warranty value is a component of damages. However, the Claim is not limited solely to warranty value and includes documented consequential damages and loss of bargained-for vehicle features.
3. As a direct and proximate result of Fisker Inc.'s inability to perform warranty, recall, software remediation, and feature delivery obligations, Claimant incurred **documented out-of-pocket expenses totaling \$4,537.97**, consisting of the following:

Exhibit A – Software & Connectivity Recall Remediation

- OVLoop 5G + Software Update (OS 2.2.3 Recall): \$698.00
- Manual OS 2.2.3 Installation due to missing TBox firmware error: \$675.00

4. Exhibit B – Recall Repairs

- Water Pump Recall Installation: \$195.00

5. Exhibit C – Battery Replacement

- 12-Volt Battery Replacement (failure in less than one year; 12V Error): \$1,069.97

6. Exhibit E – Software-Induced Hardware Failure

- Fisker Ocean Rear Left Tail Light Malfunction due to software defect: \$550.00

7. Exhibit F – FOA Dues (Lack of Deliverable Features / Support)

- Fisker Owners Association dues: \$550.00

8. Exhibit G – FOA Dues (Extended Community Support Costs)

- Fisker Owners Association dues: \$350.00

9. Exhibit H – Loss of Promised Feature Sets

- OceanLink Pulse Adapter required to restore Ocean Extreme feature functionality: \$450.00

10. These expenses were necessary to maintain operability, safety, and partial functionality of the vehicle and would not have been incurred but for Fisker Inc.'s failure to honor warranty



obligations, deliver promised features, and provide viable software and community support.

11. In addition to out-of-pocket costs, Claimant suffered **extraordinary economic loss arising from depreciation, feature loss, and quality degradation** of the vehicle.
12. As set forth in **Exhibit D**, Claimant calculates **\$20,000.00** in damages attributable to:
 - Extraordinary and abnormal depreciation materially exceeding standard automotive depreciation norms;
 - Permanent loss or non-delivery of Ocean Extreme feature sets;
 - Diminution in vehicle quality, reliability, and marketability directly resulting from Fisker Inc.'s insolvency and software failures.
13. The vehicle, purchased for a total price of **\$67,931.16**, received a verified **CarMax trade-in valuation of \$7,500.00** as of January 22, 2026. Independent market data published by Edmunds further reflects catastrophic depreciation inconsistent with ordinary consumer vehicle expectations.
14. Claimant further remains liable on an original vehicle loan amount of **\$37,931.00**, with a remaining balance of **\$25,410.88**, despite the vehicle's severely diminished market value and loss of core functionality.

WHEREFORE,

Claimant respectfully requests that the Court:

- (a) Allow Claim No. 1582 in an amount reflecting not less than **\$18,833.97**, consisting of \$14,296.00 for warranty value plus **\$4,537.97 in documented consequential damages**;
- (b) Consider the **\$20,000.00 depreciation and feature-loss calculation (Exhibit D)** as additional evidence supporting the magnitude of Claimant's damages; and
- (c) Grant such other and further relief as the Court deems just and proper.

UPDATED DECLARATION OF VIRAG DESAI

I, Virag Desai, declare as follows:

1. I am the claimant with respect to Proof of Claim No. 1582 filed in the Fisker, Inc. bankruptcy proceedings.
2. I purchased a Fisker Ocean vehicle for a total purchase price of **\$67,931.16**, inclusive of vehicle price, taxes, fees, and delivery-related costs.
3. Following Fisker Inc.'s bankruptcy and inability to perform warranty, recall, software support, and feature delivery, I was required to incur out-of-pocket expenses to maintain vehicle safety, operability, and partial functionality.
4. Specifically, I incurred the following costs:
 - \$698.00 for OVLoop 5G and OS version 2.2.3 recall update;
 - \$675.00 for manual OS 2.2.3 installation necessitated by missing TBox firmware;
 - \$195.00 for water pump recall installation;
 - \$1,069.97 for replacement of a failed 12-volt battery occurring within one year of purchase;
 - \$550.00 for rear left tail light malfunction caused by software defect;
 - \$550.00 and \$350.00 in Fisker Owners Association dues incurred due to lack of deliverable features, manufacturer support, and community infrastructure;
 - \$450.00 for an OceanLink Pulse Adapter required to restore functionality associated with Ocean Extreme feature sets.
5. The total of these documented out-of-pocket expenses is **\$4,537.97**. True and correct copies of invoices and records are attached as exhibits.
6. As of January 22, 2026, CarMax provided a written trade-in valuation of **\$7,500.00** for my vehicle.
7. At the time of valuation, my original vehicle loan amount was **\$37,931.00**, with a remaining balance of **\$25,410.88**.
8. Based on industry valuation data, market evidence, and loss of vehicle features and quality, I calculated an additional **\$20,000.00** in damages attributable to extraordinary depreciation and diminution in value, as set forth in Exhibit D.
9. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 3 day of Feb, 2026.

A handwritten signature in blue ink, appearing to be 'V. Desai', is written over a horizontal line.

Virag Desai
Claimant, Pro Se
Proof of Claim No. 1582

Exhibit A



Ocean Repair Services
 California
 U.S.A
 support@oceanrepairservices.com
 oceanrepairservices.com

Invoice

ORS-INV103088

Balance Due
\$0.00

Virag Desai
 11712 Pindell chase drive fulton MD 20759

Invoice Date : 05 Jan 2026
Terms : Due on Receipt
Due Date : 05 Jan 2026

#	Description	Qty	Rate	Amount
1	Software Update 2.2 - Perform manual update (Onsite) Manual install of all 3 parts of the 2.2 software update (2.2.3) trex update will be needed from ovloop to display proper software version on radio screen.	1.00	600.00	600.00
2	Travel Fee – Service Appointment Deposit Travel Fee – Service Appointment Deposit Non-refundable deposit required to cover travel-related expenses, including technician travel time, transportation, and lodging for your scheduled service appointment. This fee secures your place on our upcoming service route and ensures proper allocation of resources for your area.	1.00	150.00	150.00
3	End Of Year ORS Promotion ORS is happy to offer a 10% discount on all services until the end of this year. Contact (562)727-9645 for details on how to qualify for this deal!	1.00 1 175 1	0.00	0.00

Sub Total	750.00
Discount(10.00%)	(-) 75.00
Total	\$675.00
Payment Made	(-) 675.00
Balance Due	\$0.00

Thank you for your payment and for trusting Ocean Repair Services with your Fisker.
 Your appointment is confirmed, and we look forward to servicing your vehicle.
 If you have any updates or questions prior to your scheduled date, feel free to contact us.
 We truly value your support and look forward to delivering quality service.

Terms and Conditions - Payment

Ocean Repair Services accepts payment via cash, check, Zelle, Venmo, and credit card. A 4% processing fee will be applied to all credit card transactions.

Payment for all services is required on the same day upon completion of vehicle repairs or diagnostics no exceptions. Failure to provide payment on the same day may result in delays or additional fees.

By proceeding with services, the customer acknowledges and agrees to these payment terms.

Terms and Conditions – Service Agreement

By proceeding with the software updates and/or services provided by Ocean Repairs and Services LLC ("ORS"), you acknowledge and agree to the following terms:

1. Service Disclaimer:

ORS is not liable for any new discrepancies, faults, or operational issues that may arise with your Fisker Ocean vehicle as a result of performing software updates, diagnostic procedures, or component installations. All services are provided as-is, and you assume full responsibility and risk for any outcomes resulting from such work.

2. Limitation of Liability:

You agree to release and hold harmless ORS, its employees, contractors, and affiliates from any and all claims, damages, or liabilities, whether direct or indirect, related to the work performed, including but not limited to software incompatibilities, configuration variances, or parts supplied by the customer.

3. Travel Fee Policy:

For service locations that require a travel fee, please note that the travel fee deposit is non-refundable and non-negotiable, regardless of cancellation reason. This deposit covers the cost of route planning, technician travel, and appointment coordination.

4. Customer Cancellations:

ORS does not offer refunds for cancellations made by the customer after booking confirmation. This includes, but is not limited to, cancellations due to scheduling conflicts, part delays, or vehicle unavailability. Service rescheduling may be considered on a case-by-case basis, but refunds will not be issued.

5. Customer-Supplied Parts:

If services are performed using customer-supplied parts, ORS cannot guarantee part compatibility, longevity, or function. Any damages or delays resulting from such parts are solely the customer's responsibility.

6. Acknowledgment:

By accepting and scheduling service with ORS, you confirm that you have read and understood these terms and conditions, and you agree to proceed under these guidelines.

1/22/26, 2:07 PM

Gmail - Your OV Loop, inc receipt [#1988-6707]

Exhibit A



Viru Desai <vdesai555@gmail.com>

Your OV Loop, inc receipt [#1988-6707]

1 message

OV Loop, inc <receipts+acct_1D6kyyGJRJrcRvXG@stripe.com>
Reply-To: "OV Loop, inc" <support@ovloop.com>
To: vdesai555@gmail.com

Thu, Nov 6, 2025 at 3:18 PM



Receipt from OV Loop, inc

Receipt #1988-6707

AMOUNT PAID	DATE PAID	PAYMENT METHOD
\$698.00	Nov 6, 2025, 3:01:06 PM	VISA - 6813

SUMMARY

Activate 4G Connectivity for Your Fisker Oceans	\$698.00
Amount paid	\$698.00

If you have any questions, visit our support site at <https://ovloop.com/support> or contact us at support@ovloop.com.

Something wrong with the email? [View it in your browser.](#)



LAGAS EV Repair
 (703) 387-6802
 jmorant@lagasgroup.com
 12066 Parklawn Dr, Rockville, MD, USA, 20852

Exhibit B

Estimate # 10179
 Created: Dec 3, 2024
 Service Advisor: Justin Morant

Virag Desai
 (443) 310-0910
 Vdesai555@gmail.com

2023 Fisker Ocean
 VIN:
 Mileage: 0
 License Plate:

Water Pump Recall

Pending authorization

Assigned techs: No Tech Assigned

Item	Name	Description	Price	Qty/Hrs	Amount
1	Water Pump Recall (Fisker)		\$130.00	1.5	\$195.00

Service subtotal: \$195.00

I hereby authorize the above repair work to be done along with procurement of all necessary materials.

LAGAS EV Repair may operate the above vehicle for the purposes of testing, inspection or delivery at my risk. LAGAS EV Repair will not be held responsible for any loss or damage to the vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond the control of LAGAS EV Repair.

In the event legal action is necessary to enforce this contract, I understand that I am solely responsible for all costs.

Service Amount	\$195.00
Part	\$0.00
Labor	\$195.00
Subtotal	\$195.00
Taxes (VA-Arlington-57310 - 6%)	\$0.00
Grand total	\$195.00
Paid to date	\$0.00
Remaining Balance	\$195.00

Signature: _____



Exhibit D

Viru Desai <vdesai555@gmail.com>

Your Online Offer from CarMax is inside!

1 message

CarMax <no-reply@email-carmax.com>

Thu, Jan 22, 2026 at 11:21 AM

Reply-To: No Reply <reply-43134156-5154300_HTML-972513873-10977964-380828@email-carmax.com>

To: vdesai555@gmail.com



You've got an offer

To redeem, just bring your **Fisker Ocean** to any CarMax within the next 7 days.

Your Offer

\$7,500*

Valid through Thursday, 1/29/26

Offer Code

RB5V3S7N

Buyer's Notes

Thank you for having your vehicle appraised at CarMax.

Prefer to set up a time before you come in?

[SET MY APPOINTMENT](#)



Here's what you'll need to sell your car

✓ **Car title or loan payoff information.**

All titleholders should be present. If this is not possible, call your store to see what type of documentation you will need to bring.

✓ **Valid, state-issued photo ID for all titleholders.**

✓ **Valid, current vehicle registration.**

✓ **All keys, fobs, and remotes for the vehicle.**

Have questions? Give us a call [\(301\) 604-8560](tel:3016048560)

Your CarMax

Laurel

8800 Freestate Drive
Laurel, MD 20723
(301) 604-8560

[DIRECTIONS](#)



1/22/26, 2:09 PM

Gmail - Your Online Offer from CarMax is inside!

[carmax.com](https://www.carmax.com)

[Privacy Policy](#)

[Contact](#)

[View Web Version](#)

© 2026 All Rights Reserved - CarMax

This is a transactional email sent by CarMax.
12800 Tuckahoe Creek Parkway, Richmond, VA 23238

*The offer from CarMax is contingent on your providing accurate information. CarMax will conduct a verification of your vehicle and evaluate other vehicle use and history information prior to finalizing the offer. Any differences between the information you provide about your vehicle and the vehicle's actual condition, use, and history may impact the offer you receive from CarMax.

J Edmunds' \$69,000 Fisker Ocean Depreciated 69 Percent In Just ...

NEWS

Edmunds' \$69,000 Fisker Ocean Depreciated 69 Percent In Just Two Months

Almost all new cars lose value, but that kind of depreciation is definitely not nice.

BY COLLIN WOODARD | APRIL 1, 2024 7:15 AM EST



When you buy a brand-new car, you buy it knowing it's going to depreciate. At least as long as it's a relatively normal car and not something like a Porsche 911 R. That said, it's not as bad as many "never buy a new car for any reason ever" financial influencers make it sound. You probably won't get back every penny if you tried to sell a new car the next day, but you won't actually lose 30 percent the moment you drive it off the lot. Unless you're Edmunds and recently bought a Fisker Ocean for testing, that is.

J Edmunds' \$69,000 Fisker Ocean Depreciated 69 Percent In Just ...

about as loaded as an Ocean could get without all the promised over-the-air updates. Last Friday, after only two months of testing, it published an article with the headline "Do Not Buy A Fisker Ocean," which we have to agree is great advice. Fisker's looming bankruptcy and software that still needs improving make it hard to justify spending even \$24,999 on a new Ocean right now.

The bigger shock came when Edmunds took its Ocean in for an appraisal at a local CarMax. When the appraisal came back, CarMax told Edmunds its two-month-old car with only 4,220 miles (ooh, so close!) was worth just \$21,000. If you do some quick back-of-the-napkin math, that means the Fisker Ocean lost 69 percent (not nice!) of its value in about the same amount of time it takes for Netflix to air a single season of *Love Is Blind*.

Using Edmunds' own math, if a new vehicle typically loses 20 percent of its value in the first year and 15 percent per year after, that works out to something like five years of depreciation in two months. That's just absurd. Even if you're OK with the fact that you probably won't ever get the features that Fisker originally promised, with depreciation like that, you'd be a fool to buy a new Ocean right now.

However, if any Fisker dealer out there is reading this and willing to do a straight trade, I could probably be convinced to part with my 2008 Subaru Forester that needs an engine rebuild and a new transmission. It's not worth much, but neither are your Oceans, so actually, you might end up owing me money. Just don't expect me to agree to wait until next month to cash that check. I may not be very smart, but I'm at least smarter than that.

Conversation 21 Comments

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Sort by **Best** ▾

BigRed91



Order information

Buyer mrsquiggles555
 Seller advauto.parts
 Placed on Jan 7, 2026
 Payment method Venmo
 Paid on Jan 7, 2026

Shipping address

Virag Desai
 11712 Pindell Chase Dr
 Fulton, Maryland 20759-9704
 United States

Order total

1 item \$98.00
 Shipping **Free**
 Tax* \$5.88

Order total \$103.88

*We're required by law to collect sales tax and applicable fees for certain tax authorities.

[Learn more](#)

Items bought from advauto.parts

Order number: 23-14050-96052

Quantity	Item name	Shipping service	Item price
1	2023 - 2024 FISKER OCEAN REAR LEFT SIDE INNER TAILLIGHT TAIL LIGHT LAMP OEM (306008029305)	Standard Shipping	\$98.00

Exhibit F

Receipt

Fisker Owners Association

Invoice number **BEC351C6-0001**
 Receipt number **2941-4861**
 Date paid **December 9, 2024**

Fisker Owners Association
 254 Chapman Road
 Suite 208 #17989
 Newark, Delaware 19702
 United States
 +1 949-391-6334
 info@fiskeroa.com

Bill to
 Virag Desai
 11712 Pindell Chase Drive
 Fulton, Maryland 20759
 United States
 mrsquiggles555@gmail.com

\$550.00 paid on December 9, 2024

[Join It] FOA Member - Annual for Virag Desai (mrsquiggles555@gmail.com)

Description	Qty	Unit price	Amount
FOA Member - Annual	1	\$550.00	\$550.00
		Subtotal	\$550.00
		Total	\$550.00
		Amount paid	\$550.00

Payment history

Payment method	Date	Amount paid	Receipt number
Discover - 7193	December 9, 2024	\$550.00	2941-4861

Exhibit G

Receipt

Fisker Owners Association

Invoice number P1PGYYDU-0001
 Receipt number 2782-4649
 Date paid December 22, 2025

Fisker Owners Association
 254 Chapman Road
 Suite 208 #17989
 Newark, Delaware 19702
 United States
 +1 949-391-6334
 info@fiskeroa.com

Bill to
 Virag Desai
 11712 Pindell Chase Drive
 Fulton, Maryland 20759
 United States
 mrsquiggles555@gmail.com

\$350.00 paid on December 22, 2025

[Join It] Base Annual - Renewal 2026 w PULSE for Virag Desai (mrsquiggles555@gmail.com)

Description	Qty	Unit price	Amount
Base Annual - Renewal 2026 w PULSE	1	\$350.00	\$350.00
		Subtotal	\$350.00
		Total	\$350.00
		Amount paid	\$350.00

Payment history

Payment method	Date	Amount paid	Receipt number
Discover - 7193	December 22, 2025	\$350.00	2782-4649

Exhibit H



Viru Desai <vdesai555@gmail.com>

Order #PULSE_1983 confirmed

1 message

OceanLink Pulse <store+72427274425@t.shopifyemail.com>
Reply-To: OceanLink Pulse <majd@retechimagine.com>
To: vdesai555@gmail.com

Mon, Oct 6, 2025 at 4:57 PM

OceanLink Pulse

ORDER #PULSE_1983

Thank you for your purchase!

[View your order](#) or [Visit our store](#)

Order summary



Pulse North America 3rd batch × 1
Partial payment

\$450.00

Subtotal	\$450.00
Shipping	\$0.00
Taxes	\$0.00

Total paid today **\$0.00 USD**

Total due Oct 06, 2025 **\$0.00 USD**

Customer information

Billing address

Virag Desai

11712 Pindell Chase Drive

Fulton MD 20759

United States

Payment

Fixed: Due October 6, 2025

If you have any questions, reply to this email or contact us at majd@retechimagine.com

Virag Desai
"Claim No. 1582"
712 Pindell Chase Dr.
Wilton, MD 20759



United States Bankruptcy Court
District of Delaware
824 North Market Street
Wilmington, DE 19801

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