

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

FISKER INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

**NOTICE OF SECOND AMENDED<sup>2</sup> AGENDA FOR HEARING SCHEDULED FOR  
JULY 9, 2024, AT 10:00 A.M. (EASTERN TIME)**

This proceeding will be conducted remotely via Zoom. Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (Eastern time) the business day before the hearing unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

**MATTER GOING FORWARD**

1. Motion of the Debtors for Entry of Interim Order (I) Authorizing the Debtors to Utilize Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Waiving Any Stay of the Effectiveness of the Relief Granted, (V) Granting Related Relief ([D.I. 38](#), filed 6/21/24).

Objection Deadline: July 8, 2024, at 4:00 p.m. (ET).

Responses Received:

- a) **United States Trustee's Objection and Reservation of Rights with Respect to Debtors' Third Interim Cash Collateral Order ([D.I. 162](#), filed 7/8/24).**

---

<sup>1</sup> The debtors and debtors in possession 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.

<sup>2</sup> Amended items appear in **bold**.



- b) **Limited Objection and Reservation of Rights of the Official Committee of Unsecured Creditors to the Debtors' Proposed Third Interim Cash Collateral Order ([D.I. 168](#), Filed 7/9/24).**

Related Documents:

- a) Notice of Filing of Cash Collateral Budget ([D.I. 49](#), filed 6/21/24).
- b) Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Scheduling a Further Hearing on the Motion, and (V) Granting Related Relief ([D.I. 59](#), entered 6/24/24).
- c) Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Scheduling a Further Hearing on the Motion, and (V) Granting Related Relief ([D.I. 98](#), entered 6/28/24).
- d) Notice of Hearing on Motion of the Debtors for Entry of Interim Order (I) Authorizing the Debtors to Utilize Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Waiving Any Stay of the Effectiveness of the Relief Granted, (V) Granting Related Relief ([D.I. 100](#), filed 6/28/24).
- e) Certification of Counsel Regarding Third Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Scheduling a Further Hearing on the Motion, and (V) Granting Related Relief (to be filed).
- f) Notice of Filing of Proposed Third Interim Cash Collateral Order ([D.I. 141](#), filed 7/5/24).
- g) Notice of Filing of Cash Collateral Budget ([D.I. 142](#), filed 7/6/24).
- h) **Notice of Filing of Third Interim Cash Collateral Budget and Cash Collateral Budget Variance Report (From June 18, 2024 to July 5, 2024) ([D.I. 170](#), filed 7/9/24).**

Status: This matter is going forward.

**STATUS CONFERENCE**

2. Motion of Debtors for Entry of an Order (I) Authorizing and Approving the Sale of Certain of the Debtors' Assets Free and Clear of Liens, Claims, Encumbrance, and Interests, (II) Authorizing the Debtors to Enter into and Perform Under the Fleet Sales Agreement, and (III) Granting Related Relief ([D.I. 110](#), filed 7/2/24).

Objection Deadline: July 11, 2024, at 12:00 noon (ET).

Responses Received: None at this time.

Related Documents:

- a) Declaration of John C. DiDonato as Chief Restructuring Officer of the Debtors in Support of Debtors' Chapter 11 Proceedings and First Day Pleadings ([D.I. 37](#), filed 6/21/24).
- b) Motion of the Debtors for Entry of Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Scheduling a Further Hearing on the Motion, (V) Granting Related Relief ([D.I. 38](#), filed 6/21/24).
- c) Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, (IV) Scheduling a Further Hearing on the Motion, and (V) Granting Related Relief ([D.I. 98](#), filed 6/28/24).
- d) Declaration of John C. DiDonato as Chief Restructuring Officer of the Debtors in Support of the Motion of Debtors for Entry of an Order (I) Authorizing and Approving the Sale of Certain of the Debtors' Assets Free and Clear of Liens, Claims, Encumbrance, and Interests, (II) Authorizing the Debtors to Enter into and Perform Under the Fleet Sales Agreement, and (III) Granting Related Relief ([D.I. 111](#), filed 7/2/24).
- e) Certificate of Service ([D.I. 117](#), filed 7/3/24).
- f) Order Shortening Notice of Motion of Debtors for Entry of an Order (I) Authorizing and Approving the Sale of Certain of the Debtors' Assets Free and Clear of Liens, Claims, Encumbrance, and Interests, (II) Authorizing the Debtors to Enter into and Perform Under the Fleet Sales Agreement, and (III) Granting Related Relief ([D.I. 126](#), entered 7/4/24).
- g) Notice of Motion of Debtors for Entry of an Order (I) Authorizing and Approving the Sale of Certain of the Debtors' Assets Free and Clear of Liens, Claims, Encumbrance, and Interests, (II) Authorizing the Debtors to Enter into and Perform Under the Fleet Sales Agreement, and (III) Granting Related Relief ([D.I. 128](#), filed 7/5/24).**
- h) Supplemental Certificate of Service ([D.I. 148](#), filed 7/7/24).**
- i) Supplemental Declaration of John C. DiDonato as Chief Restructuring Officer of the Debtors in Support of the Motion of Debtors for Entry of an Order (I) Authorizing and Approving the Sale of Certain of the Debtors' Assets Free**

**and Clear of Liens, Claims, Encumbrances, and Interests, (II) Authorizing the Debtors to Enter Into and Perform Under the Fleet Sales Agreement, and (III) Granting Related Relief ([D.I. 171](#), filed 7/9/24).**

Status: At the direction of the Court, this matter is going forward as a status conference.

*(Remainder of page intentionally left blank)*

Dated: July 9, 2024  
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Sophie Rogers Churchill

Robert J. Dehney, Sr. (No. 3578)

Andrew R. Remming (No. 5120)

Brenna A. Dolphin (No. 5604)

Sophie Rogers Churchill (No. 6905)

Evanthea Hammer (No. 7061)

1201 N. Market Street, 16<sup>th</sup> Floor

Wilmington, Delaware 19801

Tel.: (302) 658-9200

rdehney@morrisnichols.com

aremming@morrisnichols.com

bdolphin@morrisnichols.com

srchurchill@morrisnichols.com

ehammer@morrisnichols.com

-and-

DAVIS POLK & WARDWELL LLP

Brian M. Resnick (admitted *pro hac vice*)

Darren S. Klein (admitted *pro hac vice*)

Steven Z. Szanzer (admitted *pro hac vice*)

Richard J. Steinberg (admitted *pro hac vice*)

450 Lexington Avenue

New York, New York 10017

Tel.: (212) 450-4000

brian.resnick@davispolk.com

darren.klein@davispolk.com

steven.szanzer@davispolk.com

richard.steinberg@davispolk.com

*Proposed Counsel to the Debtors and Debtors in Possession*