

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
FISKER INC., <i>et al.</i> , ¹	Case No. 24-11390 (TMH)
Debtors.	(Jointly Administered)

NOTICE OF AMENDED² AGENDA FOR HEARING SCHEDULED FOR
JULY 29, 2024, AT 10:00 A.M. (ET)

This proceeding will be conducted in-person in courtroom 6. All counsel and witnesses are expected to attend unless permitted to appear 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 who may participate remotely, 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. (ET) the business day before the hearing unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

RESOLVED MATTER

1. Motion of Debtors for Entry of an Order Extending Time to File (I) Schedules of Assets and Liabilities, (II) Schedules of Current Income and Expenditures, (III) Schedules of Executory Contracts and Unexpired Leases, (IV) Statements of Financial Affairs, and (V) Bankruptcy Rule 2015.3 Financial Reports ([D.I. 104](#), filed 7/1/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 17, 2024, at 11:59 p.m. (ET) for the Official Committee of Unsecured Creditors (the "**Committee**").

Responses Received:

- a) Informal comments received from the Committee.

¹ 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.

² Amended items appear in bold. Note, the hearing will be held in courtroom 6.



Related Documents:

- a) Order Extending Time to File (I) Schedules of Assets and Liabilities, (II) Schedules of Current Income and Expenditures, (III) Schedules of Executory Contracts and Unexpired Leases, (IV) Statements of Financial Affairs, and (V) Bankruptcy Rule 2015.3 Financial Reports ([D.I. 253](#), entered 7/18/24).

Status: An order has been entered. A hearing on this matter is no longer necessary.

ADJOURNED MATTER

2. Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Notification and Hearing Procedures for, and Approving Restrictions on, Certain Transfers of and Declarations of Worthlessness with Respect to Interests in and Certain Claims Against the Debtors' Estates and (II) Establishing a Record Date for Notice and Sell-Down Procedures for Trading in Claims Against the Debtors' Estates ([D.I. 7](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 24, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Informal comments received from the U.S. Trustee.
- b) Informal comments received from the Committee.

Related Documents:

- a) Interim Order Establishing Notification and Hearing Procedures for, and Approving Restrictions on, Certain Transfers of and Declarations of Worthlessness with Respect to Interests in and Certain Claims Against the Debtors' Estates ([D.I. 64](#), entered 6/24/24).
- b) Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 73](#), filed 6/25/24).

Status: This matter had been adjourned for the hearing scheduled for August 14, 2024, at 1:00 p.m. (ET).

MATTER UNDER CERTIFICATION

3. Motion of Debtors for Entry of Interim and Final Orders (I) Waiving the Requirement to File a List of Equity Security Holders and (II) Authorizing Debtors to Redact Certain Personal Information ([D.I. 6](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the Office of the United States Trustee (the “**U.S. Trustee**”); extended to July 17, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Informal comments received from the U.S. Trustee.
- b) Informal comments received from the Committee.

Related Documents:

- a) Interim Order (I) Waiving the Requirement to File a List of Equity Security Holders and (II) Authorizing Debtors to Redact Certain Personal Information ([D.I. 75](#), entered 6/26/24).
- b) Second Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 83](#), filed 6/26/24).
- c) Certification of Counsel Regarding Final Order (I) Waiving the Requirement to File a List of Equity Security Holders and (II) Authorizing Debtors to Redact Certain Personal Information ([D.I. 261](#), filed 7/19/24).
- d) **Final Order (I) Waiving the Requirement to File a List of Equity Security Holders and (II) Authorizing Debtors to Redact Certain Personal Information ([D.I. 290](#), entered 7/26/24).**

Status: **An order has been entered. A hearing on this matter is no longer necessary.**

MATTERS GOING FORWARD

- 4. Motion of Debtors for Entry of Interim and Final Orders Authorizing (I) Debtors to Continue and Renew Their Liability, Property, Casualty, Surety Bond, and Other Insurance Programs, and Honor All Obligations in Respect Thereof and (II) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 8](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 17, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors’ First Day Motions ([D.I. 182](#), filed 7/9/24) (the “**Heights Objection**”).
- b) Informal comments received from the Committee.

Related Documents:

- a) Interim Order Authorizing (I) Debtors to Continue and Renew Their Liability, Property, Casualty, Surety Bond, and Other Insurance Programs, and Honor All Obligations in Respect Thereof and (II) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 61](#), entered 6/24/24).
- b) Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 73](#), filed 6/25/24).
- c) **Debtors' Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 310](#), filed 7/26/24).**
- d) **Notice of Filing of Final Order Authorizing (I) Debtors To Continue and Renew Their Liability, Property, Casualty, Surety Bond, and Other Insurance Programs, and Honor All Obligations In Respect Thereof and (II) Financial Institutions To Honor and Process Related Checks and Transfers ([D.I. 323](#), filed 7/28/24).**

Status: **The Debtors have resolved the informal comments from the Committee through revisions to the proposed final order. The Debtors understand that the Heights Objection will be withdrawn at the hearing. The Debtors believe that this matter is going forward on a consensual basis.**

- 5. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing (A) Debtors to Continue to Maintain Existing Cash Management System, Bank Accounts, and Business Forms, (B) Debtors to Open and Close Bank Accounts, and (C) Financial Institutions to Administer the Bank Accounts and Honor and Process Related Checks and Transfers, and (II) Waiving Deposit and Investment Requirements ([D.I. 9](#), filed 6/20/24).

Objection Deadline: July 10, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; **extended to July 26, 2024, at 11:59 p.m. (ET) for the Committee.**

Responses Received:

- a) Informal comments received from the U.S. Trustee.
- b) Informal comments received from the Committee.
- c) Informal comments received from JPMorgan.

Related Documents:

- a) Interim Order (I) Authorizing (A) Debtors to Continue to Maintain Existing Cash Management System, Bank Accounts, and Business Forms, (B) Debtors to Open and Close Bank Accounts, and (C) Financial Institutions to Administer the Bank Accounts and Honor and Process Related Checks and Transfers, and (II) Waiving Deposit and Investment Requirements ([D.I. 76](#), entered 6/26/24).
- b) Second Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 83](#), filed 6/26/24).

Status: The Debtors are working to resolve this matter consensually and intend to file a revised proposed order under Certification of Counsel in advance of the hearing. At this time, this matter is going forward.

- 6. Motion of Debtors for Entry of Interim and Final Orders (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance ([D.I. 10](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 17, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 182](#), filed 7/9/24).
- b) Informal comments received from the Committee.
- c) Informal comments received from San Diego Gas & Electric ("SDG&E").

Related Documents:

- a) Interim Order (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance ([D.I. 62](#), filed 6/24/24).
- b) Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 73](#), filed 6/25/24).
- c) **Debtors' Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions** ([D.I. 310](#), filed 7/26/24).

- d) **Notice of Filing of Final Order (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance** ([D.I. 324](#), entered 7/28/24).

Status: The Debtors have resolved the informal comments from the Committee and SDG&E through revisions to the proposed final order and the utilities list. The Debtors understand that the Heights Objection will be withdrawn at the hearing. The Debtors believe that this matter is going forward on a consensual basis.

7. Motion of Debtors for Entry of Interim and Final Orders Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments, and Fees and (II) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 11](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 17, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 182](#), filed 7/9/24).
- b) Informal comments received from the Committee.

Related Documents:

- a) Interim Order Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments, and Fees and (II) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 60](#), entered 6/24/24).
- b) Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 73](#), filed 6/25/24).
- c) **Debtors' Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions** ([D.I. 310](#), filed 7/26/24).
- d) **Notice of Filing of Final Order Authorizing (I) Debtors To Pay Certain Prepetition Taxes, Governmental Assessments, and Fees and (II) Financial Institutions To Honor and Process Related Checks and Transfers** ([D.I. 322](#), filed 7/28/24).

Status: The Debtors have resolved the informal comments from the Committee through revisions to the proposed final order. The Debtors understand that the

Heights Objection will be withdrawn at the hearing. The Debtors believe that this matter is going forward on a consensual basis.

8. Motion of Debtors for Entry of Interim and Final Orders Authorizing (I) Debtors to (A) Pay Prepetition Employee Obligations and (B) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (II) Current and Former Employees to Proceed with Outstanding Workers' Compensation Claims, and (III) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 12](#), filed 6/20/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 11, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 17, 2024, at 11:59 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 182](#), filed 7/9/24).
- b) Informal comments received from the U.S. Trustee.
- c) Informal comments received from the Committee.

Related Documents:

- a) Interim Order Authorizing (I) Debtors to (A) Pay Prepetition Employee Obligations and (B) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (II) Current and Former Employees to Proceed with Outstanding Workers' Compensation Claims, and (III) Financial Institutions to Honor and Process Related Checks and Transfers ([D.I. 52](#), filed 6/21/24).
- b) Omnibus Notice of First Day Motions and Final Hearing Thereon ([D.I. 73](#), filed 6/25/24).
- c) **Debtors' Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 310](#), filed 7/26/24).**
- d) **Notice of Filing of Final Order Authorizing (I) Debtors to (A) Pay Prepetition Employee Obligations and (B) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (II) Current and Former Employees to Proceed with Outstanding Workers' Compensation Claims, and (III) Financial Institutions to Honor and Process related Checks and Transfers ([D.I. 321](#), filed 7/28/24).**

Status: **The Debtors have resolved the informal comments from the Committee and the U.S. Trustee through revisions to the proposed final order. The Debtors**

understand that the Heights Objection will be withdrawn at the hearing. The Debtors believe that this matter is going forward on a consensual basis.

9. Motion of Debtors for Entry of an Order (I) Authorizing Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and (II) Authorizing and Establishing Procedures to Reject Executory Contracts and Unexpired Leases ([D.I. 13](#), filed 6/20/24).

Objection Deadline: July 10, 2024, at 4:00 p.m. (ET); extended to July 22, 2024, at 5:00 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Objection by Landlord to Debtors' Motion for Entry of an Order (I) Authorizing Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and (II) Authorizing and Establishing Procedures to Reject Executory Contracts and Unexpired Leases ([D.I. 185](#), filed 7/10/24).
- b) The Grove, LLC's Limited Objection to Debtors' Motion to Reject Lease ([D.I. 191](#), filed 7/10/24).
- c) Informal comments received from Continental Development Corporation.
- d) Informal comments received from the Committee.

Related Documents:

- a) Notice of Motion and Hearing ([D.I. 82](#), filed 6/26/24).
- b) **Certification of Counsel Regarding Order (I) Authorizing Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and (II) Authorizing and Establishing Procedures to Reject Executory Contracts and Unexpired Leases ([D.I. 328](#), filed 7/28/24).**

Status: **On July 28, 2024, the Debtors filed a revised order under Certification of Counsel. Accordingly, a hearing on this matter is not necessary unless the Court directs otherwise.**

10. 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) Waiving Any Stay of the Effectiveness of the Relief Granted, (V) Granting Related Relief ([D.I. 38](#), filed 6/21/24).

Objection Deadline: July 24, 2024, at 5:00 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).
- 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) 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).
- b) 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).
- c) 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 ([D.I. 184](#), entered 7/10/24).
- d) Fourth 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. 260](#), entered 7/19/24).
- e) Notice of Hearing on 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) Waiving Any Stay of the Effectiveness of the Relief Granted, (V) Granting Related Relief ([D.I. 273](#), filed 7/23/24).
- f) **Notice of Filing of Proposed Final Cash Collateral Order ([D.I. 306](#), filed 7/26/24).**
- g) **Notice of Filing of Proposed Fifth Interim Cash Collateral Order ([D.I. 320](#), filed 7/28/24).**
- h) **Declaration of Elizabeth Feld in Support of CVI Investments, Inc.'s Statement in Support of Consensual Use of Cash Collateral and Objection to Nonconsensual Use of Cash Collateral ([D.I. 330](#), filed 7/28/24).**

- i) **CVI Investments, Inc.’s Statement in Support of Consensual Use of Cash Collateral and Objection to any Nonconsensual Use of Cash Collateral ([D.I. 331](#), filed 7/28/24).**

Status: **This matter is going forward.**

- 11. Motion of Debtors for Entry of an Order Approving Procedures for the Retention and Compensation of Ordinary Course Professionals *Nunc Pro Tunc* to the Petition Date ([D.I. 87](#), filed 6/26/24).

Objection Deadline: July 10, 2024, at 4:00 p.m. (ET); extended to July 24, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 22, 2024, at 5:00 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors’ First Day Motions ([D.I. 182](#), filed 7/9/24).
- b) Informal comments received from the U.S. Trustee.
- c) Informal comments received from the Committee.

Related Documents:

- a) **Debtors’ Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors’ First Day Motions ([D.I. 310](#), filed 7/26/24).**
- b) **Notice of Filing of Order Approving Procedures for the Retention and Compensation of Ordinary Course Professionals *Nunc Pro Tunc* to The Petition Date ([D.I. 325](#), filed 7/28/24).**

Status: **The Debtors have resolved the informal comments from the Committee and the U.S. Trustee through revisions to the proposed final order. The Debtors understand that the Heights Objection is withdrawn. The Debtors believe that this matter is going forward on a consensual basis.**

- 12. Motion of Debtors for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals ([D.I. 105](#), filed 7/1/24).

Objection Deadline: July 9, 2024, at 4:00 p.m. (ET); extended to July 12, 2024, at 5:00 p.m. (ET) for the U.S. Trustee; extended to July 22, 2024, at 5:00 p.m. (ET) for the Committee.

Responses Received:

- a) Limited Omnibus Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 182](#), filed 7/9/24).
- b) Informal comments received from the U.S. Trustee.
- c) Informal comments received from the Committee.

Related Documents:

- a) **Debtors' Reply in Further Support of the Selected First Day Motions and in Response to the Limited Objection of CVI Investments, Inc. to Certain of the Debtors' First Day Motions ([D.I. 310](#), filed 7/26/24).**
- b) **Notice of Filing of Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals ([D.I. 326](#), filed 7/28/24).**

Status: The Debtors have resolved the informal comments from the Committee and the U.S. Trustee through revisions to the proposed final order. The Debtors understand that the Heights Objection is withdrawn. The Debtors believe that this matter is going forward on a consensual basis.

- 13. Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 238](#), filed 7/16/24).

Objection Deadline: July 25, 2024, at 4:00 p.m. (ET).

Responses Received:

- a) Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 269](#), filed 7/23/24).
- b) Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 272](#), filed 7/23/24).
- c) **Opposition to CVI Investments, Inc.'s Motion to Convert Case to Chapter 7 from Chapter 11 ([D.I. 281](#), filed 7/25/24).**
- d) **Joinder of Ideal Motors to the Opposition of Murali Mogalasa to CVS Investments, Inc.'s Motion to Convert Case to Chapter 7 from Chapter 11 ([D.I. 292](#), filed 7/26/24).**

- e) **[SEALED] The Official Committee of Unsecured Creditors' Objection to the Motion of CVI Investments, Inc. to Convert the Debtors' Cases to Chapter 7 (D.I. 300, filed 7/26/24).**
- f) **United States' Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 301](#), filed 7/26/24).**
- g) **Fisker Owners Association Objection and Joinder to Debtors' Objection to the Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 302](#), filed 7/26/24).**
- h) **Debtors' Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 304](#), filed 7/26/24).**
- i) **Declaration in Support Declaration of Jordan Mueller in Support of Debtors' Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 305](#), filed 7/26/24).**
- j) **Declaration of John C. DiDonato as Chief Restructuring Officer of the Debtors in Support of Debtors' Objection to Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 308](#), filed 7/26/24).**

Related Documents:

- a) **Order Shortening Notice of Motion of CVI Investments, Inc. to Shorten Notice of Its Motion to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 242](#), entered 7/17/24).**
- b) **Notice of Hearing Regarding Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 255](#), filed 7/18/24).**
- c) **Reply in Support of Motion of CVI Investments, Inc. to Convert the Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code ([D.I. 329](#), filed 7/28/24).**

Status: The Debtors and CVI have resolved this matter as between themselves, as reflected in the Proposed Fifth Interim Cash Collateral Order. This matter is going forward.

Dated: July 29, 2024
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Brenna A. Dolphin

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-and-

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