

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

Hearing Date:

March 10, 2025 at 11:00 a.m. (ET)

Objection Deadline:

March 4, 2025 at 4:00 p.m. (ET)

Re: D.I. 415

NOTICE OF DISCLOSURE STATEMENT HEARING

PLEASE TAKE NOTICE that, on February 3, 2025, the above-captioned debtors and debtors in possession (the “Debtors”) filed the *Disclosure Statement for Joint Chapter 11 Plan of Liquidation* [D.I. 415] (as may be modified, amended, or supplemented from time to time, the “Disclosure Statement”) with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

PLEASE TAKE FURTHER NOTICE that, on February 4, 2025, the Debtors filed the *Motion to Shorten Notice of Disclosure Statement for Joint Chapter 11 Plan of Liquidation* [D.I. 416] (the “Motion to Shorten”), and the Court entered the Order approving the Motion to Shorten [D.I. 417].

PLEASE TAKE FURTHER NOTICE that, the Debtors will file a motion (the “Motion”) seeking entry of an order, among other things, (a) scheduling dates and deadlines in connection with the approval of the Disclosure Statement and the confirmation of the Plan and (b) establishing certain protocols in connection with those proceedings.

PLEASE TAKE FURTHER NOTICE that, if you would like to obtain a copy of the Disclosure Statement, the Motion (once filed) or related documents, you may obtain a copy free of charge (a) at the following website maintained by the Debtors’ claims and noticing agent and proposed solicitation and balloting agent, Carson Consultants, LLC dba Verita Global (“Verita”): <https://veritaglobal.net/fulcrum/document>, or (b) upon request to Verita (x) by email at fulcrumInfo@veritaglobal.com; or (y) by telephone at (866) 967-0676 (U.S./Canada) or (310) 751-

¹ The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.



2676 (International). You may also obtain a copy of such documents for a fee via PACER at <http://www.ecf.deb.uscourts.gov>.

PLEASE TAKE FURTHER NOTICE that, a hearing to consider the Disclosure Statement and the solicitation materials for the Plan (the “Disclosure Statement Hearing”) will be held before the Honorable Thomas M. Horan, United States Bankruptcy Judge, on March 10, 2025 at 11:00 a.m. (prevailing Eastern Time), in the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, Courtroom 7, Wilmington, Delaware 19801, which may be continued from time to time without further notice other than the advisement or announcement of the adjourned date(s) by the Debtors in open court or by notice on the docket.

PLEASE TAKE FURTHER NOTICE that, the deadline to object to the Disclosure Statement is March 4, 2025 at 4:00 p.m. (prevailing Eastern Time) (the “Objection Deadline”). Any objections to the Disclosure Statement must: (a) be in writing and (b) be filed with the Court and served upon: (i) counsel to the Debtors, Morris, Nichols, Arsht & Tunnell LLP, 1201 N. Market Street, 16th Floor, P.O. Box 1347, Wilmington, DE 19899-1347, Attn: Robert J. Dehney Sr. (rdehney@morrisonichols.com); Curtis S. Miller (cmiller@morrisonichols.com); Clint M. Carlisle (ccarlisle@morrisonichols.com); and Avery Jue Meng (ameng@morrisonichols.com); (ii) the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”): 844 King Street, Room 2207, Wilmington, Delaware 19801, Attn: Rosa Sierra-Fox (rosa.sierra-fox@usdoj.gov); (iii) counsel to the Committee: (a) Eversheds Sutherland (US) LLP, The Grace Building, 40th Floor, 1114 Avenue of the Americas, New York, NY 10036, Attn: Jennifer B. Kimble (JenniferKimble@eversheds-sutherland.com) and Eversheds Sutherland (US) LLP, 999 Peachtree Street NE, Suite 2300, Atlanta, GA 30309, Attn: Todd C. Meyers (toddmeyers@eversheds-sutherland.com) and (b) Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801, Attn: Jeffrey R. Waxman (jwaxman@morrisonichols.com) and Eric J. Monzo (emonzo@morrisonichols.com); (iv) counsel to Switch, Ltd.: (a) Latham & Watkins LLP, 1271 Avenue of the Americas, New York, NY 10020, Attn: Adam Goldberg (adam.goldberg@lw.com) and Brian S. Rosen (Brian.Rosen@lw.com) and (b) Richards, Layton & Finger, P.A., 920 N. King Street, Wilmington, DE 19801, Attn: Michael J. Merchant (Merchant@RLF.com); and (v) counsel to UMB Bank, N.A.: (a) Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10065, Attn: Alexander Woolverton (awoolverton@kramerlevin.com) and Douglas Buckley (dbuckley@kramerlevin.com) and (b) Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, DE 19801, Attn: Andrew Magaziner (amagaziner@ycst.com), so as to be actually received on or before the Objection Deadline.

OBJECTIONS NOT TIMELY FILED AND SERVED IN THE MANNER SET FORTH ABOVE MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT.

PLEASE TAKE FURTHER NOTICE that, this notice is not a solicitation of votes to accept or reject the Plan. Votes may not be solicited until the Disclosure Statement has been approved by an order of the Bankruptcy Court.

IF YOU DO NOT RESPOND IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY ENTER AN ORDER APPROVING THE DISCLOSURE STATEMENT (AS IT OR THE PLAN MAY BE MODIFIED BEFORE,

DURING, OR AFTER THE DISCLOSURE STATEMENT HEARING) WITHOUT FURTHER NOTICE OR HEARING.

Dated: February 4, 2025
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Avery Jue Meng

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

Curtis S. Miller (No. 4583)

Clint M. Carlisle (No. 7313)

Avery Jue Meng (No. 7238)

1201 N. Market Street, 16th Floor

P.O. Box 1347

Wilmington, Delaware 19899-1347

Telephone: (302) 658-9200

Facsimile: (302) 658-3989

Email: rdehney@morrisnichols.com

cmiller@morrisnichols.com

ccarlisle@morrisnichols.com

ameng@morrisnichols.com

Counsel to the Debtors and Debtors in Possession