Docket #0048 Date Filed: 8/26/2024

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re Nu Ride Inc., *et al.*,[1] Reorganized Debtors.	Chapter 11 Case No. 23-10831 (MFW) (Jointly Administered)
Nu Ride Inc. (f/k/a Lordstown Motors Corp.) and Lordstown EV Corporation, Plaintiffs, v. Hon Hai Precision Industry Co., Ltd. (a/k/a Hon Hai Technology Group), Foxconn EV Technology, Inc., Foxconn Ventures Pte. Ltd., Foxconn (Far East) Limited, and Foxconn EV System LLC, Defendants.	Adv. Pro. No. 23-50414 (MFW) C.A. No. 24-00931 (MN)

APPELLANTS-DEFENDANTS' STATEMENT OF THE ISSUES ON APPEAL AND DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Federal Rule of Bankruptcy Procedure 8009, as supplemented by Rule 8009-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, Appellants-Defendants Hon Hai Precision Industry Co., Ltd. (a/k/a Hon Hai Technology Group), Foxconn EV Technology, Inc., Foxconn EV Property Development LLC, and Foxconn EV System LLC (collectively, "Foxconn"), respectfully submit the following: (i) statement of issues to be included on appeal from the decision of the United States Bankruptcy

[1] The Reorganized Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Reorganized Debtors' service address is: Nu Ride Inc. c/o William Gallagher, CEO, M3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

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Court for the District of Delaware from the *Order* (D.I. 32), entered on August 1, 2024, granting in part and denying in part *Defendants' Motion to Dismiss All Counts of the Adversary Complaint* (D.I. 8), and the *Memorandum Opinion* (D.I. 31), issued on August 1, 2024; and (ii) designation of items to be included in the record on appeal.

I. STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL

Whether the Bankruptcy Court erred in denying in part Appellants-Defendants' Motion to Dismiss in favor of arbitration, through which Defendants sought to compel arbitration of all Counts in the Complaint.

II. DESIGNATION OF ITEMS TO BE INCLUDED ON THE RECORD

Foxconn submits the following designation of items to be included in the record on appeal (including any exhibit, annex, or addendum thereto):

Dkt. No.	Date Filed	Description
1	06/27/2023	Adversary Complaint (with Exhibits A–K)
3	06/30/2023	Summons and Notice of Pretrial Conference in an Adversary Proceeding (with Notice of Dispute Resolution Alternatives)
8	09/29/2023	Defendants' Motion to Dismiss All Counts to the Adversary Complaint (with Exhibit A)
9	09/29/2023	Defendants' Opening Brief in Support of Their Motion to Dismiss All Counts of the Adversary Complaint
15	11/06/2023	Plaintiffs' Opposition to Defendants' Motion to Dismiss All Counts of the Adversary Complaint (with Exhibit A)
17	11/06/2023	Equity Committee's Joinder to Plaintiffs' Opposition to Defendants' Motion to Dismiss All Counts of the Adversary Complaint
18	11/08/2023	Order Approving Stipulation Permitting Equity Committee Intervention
19	11/30/2023	Defendants' Reply Brief in Support of Their Motion to Dismiss All Counts of the Adversary Complaint
20	12/06/2023	Request for Oral Argument
21	12/07/2024	Notice of Completion of Briefing
31	08/01/2024	Memorandum Opinion

32	08/01/2024	Order
33	08/12/2024	Notice of Appeal (with Exhibits A-B)

CERTIFICATION PURSUANT TO BANKRUPTCY RULE 8009(b)

In an appeal from a bankruptcy court ruling, Bankruptcy Rule 8009(b) requires an appellant to either: (i) order from the court reporter a transcript of such parts of the proceedings not already on file as the appellant considers necessary for the appeal and file a copy of the order with the bankruptcy clerk; or (ii) file a certificate with the bankruptcy clerk stating that the appellant is not ordering a transcript. Pursuant to Bankruptcy Rule 8009(b), Foxconn certifies that there are no relevant transcripts because no hearing or oral argument was held, and the Order and Memorandum Opinion were issued on the papers.

[Signature page follows]

Dated: August 26, 2024
Wilmington, Delaware

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CERTIFICATE OF SERVICE

I, Echo Yi Qian, certify that I am not less than 18 years of age, and that service of the foregoing was caused to be made on August 26, 2024, via CM/ECF upon those parties registered to receive such electronic notifications and served additionally as indicated below.

Date: August 26, 2024 */s/ Echo Yi Qian*
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VIA ELECTRONIC MAIL AND CM/ECF

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