Docket #0062 Date Filed: 10/1/2024

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	)	Ch. 11
	)	
Nu Ride Inc., et al.,	)	
	)	Case No. 23-10831 (MFW)
Reorganized Debtors.	)	
	)	(Jointly Administered)
	)	
	)	
Lordstown Motors Corp. and Lordstown EV Corporation,	)	Adv. No. 23-50414(MFW)
	)	
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.	)	
	)	
	)	Related Docs: 1, 8, 9, 15, 17, 19, 31, 32, 36, 37, 51 & 55

O R D E R

AND NOW this **1st** day of **OCTOBER, 2024**, upon consideration of the Defendants' Motion for Partial Reconsideration of this Court's Memorandum Opinion and Order dated August 1, 2024, and the Defendants' Response thereto, it is hereby

ORDERED that the Motion for Partial Reconsideration is **GRANTED**; and it is further

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ORDERED that the Memorandum Opinion will be modified as follows:

- on page 31, the second full paragraph is replaced by:

> As noted above, the Court has concluded that the arbitration provisions of the JVA mandate that any dispute regarding its breach must be arbitrated. The Court will, therefore, dismiss Count Six of the Complaint.

- on page 51, in the second full paragraph, line 1 "Count Nine" is replaced by "Count Eleven."

- on page 59, the last full paragraph is replaced by:

> For the reasons set forth above, the Court will grant the Motion to Dismiss in part and deny it in part. The Court will dismiss Counts Six and Nine because they are subject to valid arbitration provisions but will deny the Defendants' request to stay this adversary proceeding pending arbitration of those claims. Finally, the Court will deny the Motion to Dismiss with respect to all other Counts of the Complaint.

and it is further

ORDERED that the 2d and 3d paragraphs of the Order will be replaced by:

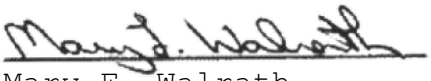
> **ORDERED** that the Motion to Dismiss is **GRANTED** as to Counts Six and Nine; and it is further
>
> **ORDERED** that the Motion to Dismiss is **DENIED** to the extent it seeks to stay this adversary proceeding pending resolution of the arbitration of the JVA and CMA claims in Counts Six and Nine;

and it is further

ORDERED that these corrections are without prejudice to the Defendants' Motion to Stay Pending Appeal on Arbitrability, which has been fully briefed and is under advisement.

An Amended Opinion and Order with these corrections (and corresponding corrections to the footnote numbering) is filed contemporaneously herewith.

BY THE COURT:



Mary F. Walrath
United States Bankruptcy Judge