IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re NU RIDE INC., *et al.*,[1] Reorganized Debtors.	Chapter 11 Case Nos. 23-10831 (MFW), *et seq.* (Jointly Administered)
COHEN RECYCLING, INC., Plaintiff, vs. NU RIDE INC., Defendant.	Adv. Proc. No. 24-50127 (MFW)

CERTIFICATION OF COUNSEL REGARDING NON-CONSENSUAL PROPOSED SCHEDULING ORDER FOR ADVERSARY PROCEEDING

Adam Hiller, counsel for plaintiff Cohen Recycling, Inc. ("Plaintiff"), hereby certifies as follows:

1. On September 5, 2024, Plaintiff filed a Complaint for Declaratory Relief (Docket No. 1), commencing the above-referenced adversary proceeding.

[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, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

2. Attached hereto as **Exhibit A** is a Proposed Scheduling Order for Adversary Proceeding (the "Proposed Scheduling Order"), which Plaintiff proposes to be entered by the Court in connection with this adversary proceeding.

3. It is my understanding that defendant Nu Ride Inc. ("Defendant") does not consent to the Proposed Scheduling Order and has filed, or intends to file, its own proposed scheduling order.

4. Plaintiff requests that the Court enter the Proposed Scheduling Order as an order of the Court at the Court's convenience.

Dated: October 22, 2024
Wilmington, Delaware

Respectfully submitted,

HILLER LAW, LLC

/s/ Adam Hiller

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Cohen Recycling, Inc.

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SCHEDULING ORDER FOR ADVERSARY PROCEEDING

Good cause having been shown, the Court does ORDER and ADJUDGE that the schedule of critical events for the adversary proceeding shall be as follows:

I. PLEADINGS

Plaintiff Cohen Recycling, Inc. ("**CRI**" or "**Plaintiff**") and defendant Nu Ride Inc. ("**Nu Ride**" or "**Defendant**") do not anticipate filing a motion for summary judgment/adjudication, but reserve the right to do so.

[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, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

EXHIBIT A

All parties consent to service via email.

II. FACT DISCOVERY

Fact discovery shall be completed no later than March 21, 2025.

The presumptive limit of 25 interrogatories as specified by Bankruptcy Rule 7033(a) shall apply.

III. EXPERT DISCOVERY

The parties shall serve on each other expert reports for an issue on which they bear the burden of proof, by April 21, 2025. Any expert report intended to rebut any other expert report shall be served by May 21, 2024. All reports shall provide the information required by Fed. R. Civ. P. 26(a)(2)(B). All expert discovery shall be completed, and discovery shall close, by June 20, 2025.

IV. DISPOSITIVE MOTIONS.

All dispositive motions shall be filed on or before July 21, 2024. Briefing shall occur within the time required under the rules of this Court.

V. WITNESSES

Nu Ride may call the following witnesses in this Adversary Proceeding:

1. William Gallagher;
2. Michael W. Jones;
3. Andrew Cohen;
4. Andi LePore; and
5. Mike Ahn.

Cohen Recycling, Inc. has not yet determined what witnesses it intends to call in this Adversary Proceeding. It shall file any necessary witness lists within the time required under the Court's rules.

VI. DEADLINES

All deadlines in this Order may be extended by the parties in writing without further order of the Court except those in Section VII. below.

VII. TRIAL

The parties shall be prepared to report the case ready for trial no later than _____.

The parties shall exchange witness lists, trial exhibits, affidavits and/or declarations sought to be introduced at trial, and (if applicable) designations of deposition testimony (with copies to Chambers) no later than **seven days prior to the date scheduled for trial**.

The trial shall begin on _____ and the parties presently intend for it to last for one day. Either party may contact Chambers if it believes that the trial will last longer.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 22, 2024, I caused copies of the foregoing Certification of Counsel to be served via electronic mail upon:

Name	**E-mail**
Eric Monzo	EMonzo@morrisjames.com
Tara C. Pakrouh	TPakrouh@morrisjames.com
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Dated: October 22, 2024
Wilmington, Delaware

/s/ Adam Hiller

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