

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

In re

FISKER INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

**Re: D.I. 785**

**NOTICE OF FILING OF SUPPLEMENT TO FIFTH MONTHLY FEE APPLICATION  
(FOR THE PERIOD OCTOBER 1, 2024 THROUGH OCTOBER 17, 2024) AND FINAL  
APPLICATION OF DAVIS POLK & WARDWELL LLP, AS BANKRUPTCY COUNSEL  
FOR THE DEBTORS AND DEBTORS IN POSSESSION, FOR ALLOWANCE OF  
COMPENSATION AND FOR REIMBURSEMENT OF ALL ACTUAL AND  
NECESSARY EXPENSES INCURRED FOR THE PERIOD  
JUNE 17, 2024 THROUGH AND INCLUDING OCTOBER 17, 2024**

**PLEASE TAKE NOTICE** that on November 12, 2024, Davis Polk & Wardwell LLP (“Davis Polk”) filed the *Fifth Monthly Fee Statement (for the Period October 1, 2024 Through October 17, 2024) and Final Fee Application of Davis Polk & Wardwell LLP, as Bankruptcy Counsel for the Debtors and Debtors In Possession, for Allowance of Compensation and for Reimbursement of All Actual and Necessary Expenses Incurred for the Period June 17, 2024, Through and Including October 17, 2024 [D.I. 785]* (the “Final Fee Application”) with the United States Bankruptcy Court for the District of Delaware (the “Court”).<sup>2</sup>

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<sup>1</sup> 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.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Final Fee Application.



**PLEASE TAKE FURTHER NOTICE** that in the Final Fee Application, Davis Polk requested final approval of \$7,350,083.75<sup>3</sup> in fees and \$48,218.19 in expenses for the period commencing June 17, 2024 through October 17, 2024 (the “Final Period”). Davis Polk also reserved the right to supplement its Final Fee Application to include fees and expenses incurred after October 17, 2024 (the “Supplemental Period”), including in connection with preparing the Final Fee Application and responding to any comments thereto.

**PLEASE TAKE FURTHER NOTICE** that Davis Polk hereby files this supplement (the “Supplement”) to the Final Fee Application, which is attached hereto as **Exhibit A**. As set forth in this Supplement, Davis Polk has incurred \$73,868.00 in fees and \$0.00 in actual and necessary expenses during the Supplemental Period.<sup>4</sup>

**PLEASE TAKE FURTHER NOTICE** that Davis Polk requests (i) final approval and allowance of compensation for professional services rendered during the Supplemental Period in the amount of \$73,868.00 and (ii) final approval and allowance of compensation for professional services rendered during the Final Period in the amount of \$7,220,458.75,<sup>5</sup> together with reimbursement for actual and necessary expenses incurred during the Final Period in the amount of \$47,972.80.<sup>6</sup> Accordingly, Davis Polk seeks final approval and allowance of compensation in

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<sup>3</sup> This amount included an estimated \$100,000 in fees and expenses for the Supplemental Period (as defined herein) (the “**Post-Effective Date Estimate**”).

<sup>4</sup> Davis Polk does not intend to further supplement its Final Fee Application with any additional fees and expenses.

<sup>5</sup> This amount, \$7,220,458.75, equals (a) the \$7,350,083.75 of fees initially sought in the Final Fee Application, *less* (b)(i) the Post-Effective Date Estimate (i.e., \$100,000) and (ii) a voluntary fee reduction in the amount of \$29,625.00 to address informal comments received from the Office of the United States Trustee (the “U.S. Trustee”).

<sup>6</sup> This amount, \$47,972.80, equals (a) the \$48,218.19 of expenses initially sought for reimbursement in the Final Fee Application, *less* (b) a voluntary reduction of \$245.39 to address informal comments received from the U.S. Trustee.

the amount of \$7,294,326.75, together with reimbursement for actual and necessary expenses in the amount of \$47,972.80.

Dated: December 17, 2024  
New York, NY

**DAVIS POLK & WARDWELL LLP**

*/s/ Brian M. Resnick*

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**EXHIBIT A**

Time Detail			
Name	Date	Hours	Narrative
Steinberg, Richard J.	10/23/24	0.5	Emails with K. Winiarski regarding fee applications and monthly statements (0.3); review court orders with respect to same (0.2).
Winiarski, Kevin L.	11/08/24	2.4	Review and revise October invoice for privilege and confidentiality.
Steinberg, Richard J.	11/11/24	6.9	Call with Morris Nichols regarding final fee applications (0.3); calls and emails with Huron regarding same (0.5); review and revise October invoice (3.0); prepare final fee application (3.1).
Resnick, Brian M.	11/12/24	0.8	Review fee statement (0.5); discuss same with R. Steinberg (0.3).
Steinberg, Richard J.	11/12/24	6.6	Draft final fee application (5.6); emails with Morris Nichols regarding same (0.5); calls and email with B. Resnick regarding same (0.5).
Steinberg, Richard J.	11/14/24	0.2	Emails with the U.S. Trustee regarding fee applications.
Steinberg, Richard J.	11/22/24	0.8	Call with B. Resnick regarding final fee allocations and applications (0.3); call and email with Huron regarding same (0.5).
Resnick, Brian M.	11/26/24	0.2	Review U.S. Trustee email regarding Davis Polk fee application.
Steinberg, Richard J.	11/26/24	2.3	Review and respond to U.S. Trustee issues list regarding final fee application (1.5); call with B. Resnick regarding same (0.3); call with Huron regarding same (0.5).
Resnick, Brian M.	11/27/24	0.3	Emails with R. Steinberg regarding U.S. Trustee comments to fee application and responses thereto.
Steinberg, Richard J.	11/27/24	2.0	Call with Huron regarding final fee applications (0.5); prepare responses to U.S. Trustee issues list on final fee applications (1.5).
Giddens, Magali	11/28/24	2.9	Review and revise list of incorrect time in final fee application (compare listed time vs. actual time).
Giddens, Magali	11/29/24	5.1	Review team hearing attendance and list entries regarding same (0.8); call with R. Steinberg regarding formatting of material (0.2); calculations regarding same (1.3); prepare charts regarding same, including additional review (2.6); follow-up call regarding same (0.2).
Steinberg, Richard J.	11/29/24	2.7	Prepare responses to U.S. Trustee issues list on final fee application (2.4); call with M. Giddens regarding same (0.3).
Resnick, Brian M.	11/30/24	0.3	Emails with R. Steinberg regarding response to U.S. Trustee objection.
Steinberg, Richard J.	11/30/24	1.7	Prepare responses to U.S. Trustee issues list on final fee application.
Resnick, Brian M.	12/02/24	0.6	Meeting and emails with R. Steinberg regarding responses to U.S. Trustee objections (0.4).; review and revise email to U.S. Trustee regarding same (0.2).
Steinberg, Richard J.	12/02/24	2.6	Call with Morris Nichols regarding final fee applications and informal objections received (0.3); calls with B. Resnick regarding same (0.3); call with Morrison Foerster regarding same (0.4); draft response email to U.S. Trustee regarding informal objections to final fee application (1.6).

Time Detail			
Name	Date	Hours	Narrative
Steinberg, Richard J.	12/04/24	1.0	Call with Morris Nichols regarding final fee applications and informal objections received; calls with B. Resnick regarding same; call with Huron regarding same; prepare supplemental response email to U.S. Trustee regarding informal objections; calls with K. Winiarski regarding same
Steinberg, Richard J.	12/05/24	1.4	Draft email to U.S. Trustee with supplemental responses to their informal comments (1.0); calls and emails with K. Winiarski regarding same (0.4).
Winiarski, Kevin L.	12/05/24	1.2	Attention to U.S. Trustee queries regarding Davis Polk final fee application (1.0); emails with R. Steinberg regarding same (0.2).
Steinberg, Richard J.	12/09/24	0.2	Call and emails with U.S. Trustee regarding final fee application (0.1); call with Morris Nichols regarding same (0.1).
Steinberg, Richard J.	12/10/24	0.3	Prepare for call with U.S. Trustee regarding comments to final fee application
Steinberg, Richard J.	12/11/24	0.8	Review comments from Chambers on final fee applications (0.5); emails with the Davis Polk team regarding same (0.3).
Giddens, Magali	12/12/24	2.8	Discuss Court's comments with R. Steinberg (0.2); review entries, including calculations (2.5); follow up discussion regarding same (0.1).
Steinberg, Richard J.	12/12/24	0.4	Communication with K. Winiarski and M. Giddens regarding comments from Chambers
Giddens, Magali	12/13/24	1.7	Review earlier time narrative differences to potentially include same as part of supplemental application, including language regarding same (1.5); call and correspondence with K. Winiarski regarding same (0.1); call with R. Steinberg regarding same (0.1).
Resnick, Brian M.	12/13/24	0.4	Call with R. Steinberg regarding fee application (0.2); review emails with U.S. Trustee and chambers regarding same (0.2).
Steinberg, Richard J.	12/13/24	2.8	Call with U.S. Trustee regarding final fee application (0.5); call with B. Resnick regarding same (0.1); draft response email to the U.S. Trustee regarding informal objections (0.7); draft responses to Chambers regarding comments to final fee application (0.7); calls with K. Winiarski and M. Giddens regarding same (0.5); calls with Morris Nichols and Huron regarding the foregoing (0.3).
Giddens, Magali	12/15/24	1.4	Review and revise post-October 17 billing detail.
Steinberg, Richard J.	12/16/24	0.9	Prepare supplemental fee application pursuant to UST's informal comments; calls with K. Winiarski regarding same; emails with B. Resnick regarding same
Winiarski, Kevin L.	12/16/24	1.0	Review and revise supplement to final fee application (0.8); calls and emails with R. Steinberg and M. Giddens regarding same (0.2).
<b>TOTAL</b>		<b>55.2</b>	