

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

In re:

FIKKER INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Re: D.I. 773, 779,780, 781, 782, 785, 790, 803

**CERTIFICATION OF COUNSEL REGARDING OMNIBUS ORDER GRANTING
FINAL ALLOWANCE OF FEES AND EXPENSES FOR
CERTAIN PROFESSIONALS**

The undersigned counsel to the above-captioned debtors and debtors in possession, as the bankruptcy counsel for the debtors (the “Debtors”), in the above-captioned chapter 11 cases hereby certify as follows:

1. On November 11, 12, 13, and 21, 2024, certain retained professionals (the “Professionals”) filed their final fee applications (collectively, the “Fee Applications”) in accordance with the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Retained Professionals* [D.I. 350] (the “Interim Compensation Procedures Order”)²:

- a. *Fifth Monthly Fee Statement (for the Period October 1, 2024 Through October 17, 2024) and Final Fee Application of Morris, Nichols, Arsht & Tunnell 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. 773, Filed 11/11/24);*

¹ 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.

² Capitalized terms not defined herein shall have the meanings ascribed to them in the Interim Compensation Procedures Order.



- b. *Combined Fourth Monthly and Final Fee Application of Cole Schotz P.C., Delaware Co- Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the Monthly Period from October 1, 2024 through October 17, 2024 and the Final Period from July 4, 2024 through October 17, 2024* ([D.I. 779](#), Filed 11/11/24);
 - c. *Combined Third Monthly and Final Fee Application of M3 Advisory Partners, LP, Financial Advisor to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the Monthly Period from September 1, 2024 Through October 17, 2024 and the Final Period from July 5, 2024 Through October 17, 2024* ([D.I. 780](#), Filed 11/11/24);
 - d. *Combined Fourth Monthly and Final Fee Application of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors for Allowance of Compensation and Reimbursement of Expenses for the Monthly Period from October 1, 2024 Through October 17, 2024 and the Final Period from July 3, 2024 Through October 17, 2024* ([D.I. 781](#), Filed 11/11/24);
 - e. *Final Fee Application of Kurtzman Carson Consultants, LLC DBA Verita Global, as Administrative Advisor to the Debtors, for the Period from June 17, 2024 Through and Including October 17, 2024* ([D.I. 782](#), Filed 11/11/24);
 - f. *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](#), Filed 11/12/24);
 - g. *Fifth Monthly Fee Statement (for the Period October 1, 2024 Through October 17, 2024) and Final Fee Application of Huron Consulting Services, LLC, as Financial Advisors for the Debtors and Debtors In Possession, for Allowance and Payment of Compensation and Reimbursement of Expenses for the Period of June 17, 2024 Through and Including October 17, 2024* ([D.I. 790](#), Filed 11/13/24); and
 - h. *First and Final Fee Statement of RBSM LLP, as Accountants for the Debtors and Debtors in Possession for the Period September 4, 2024, Through and Including October 17, 2024* ([D.I. 803](#), Filed 11/21/24).
2. Objections to the Fee Applications were to be filed no later than December 2, 3, 4, and 5, 2024, at 4:00 p.m. (ET).
 3. Some professionals received comments from the Court and/or informal comments from the Office of the United States Trustee (“[U.S. Trustee](#)”). To resolve these, certain

Professionals agreed to voluntary reductions of their Fee Applications. Such agreed-upon reductions have been reflected in the proposed order (the “Proposed Order”), substantially in the form attached hereto as Exhibit A.

4. Each of the Professionals and the U.S. Trustee were provided with an opportunity to review the Proposed Order and do not object to its entry. WHEREFORE, the Debtors respectfully requests that the Court enter the Proposed Order attached hereto as Exhibit A at its earliest convenience.

Dated: December 20, 2024
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Brenna A. Dolphin

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Counsel to the Debtors and Debtors in Possession

Exhibit A

Proposed Order

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

In re:

FIKER INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11390 (TMH)

(Jointly Administered)

Re: D.I. 773, 779, 780, 781, 782, 785, 790, 803

**OMNIBUS ORDER GRANTING FINAL ALLOWANCE
OF CERTAIN FEES AND EXPENSES FOR CERTAIN PROFESSIONALS**

These matters come to be heard, in accordance with the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Retained Professionals* [D.I. 350] (the “Interim Compensation Procedures Order”)² on the Final Fee Applications filed by the Professionals identified on **Exhibit A** hereto for the periods set forth on such exhibit; and this Court having determined that proper and adequate notice of these matters has been given and that no other or further notice is necessary; and the requested compensation for the services detailed in the applicable Final Fee Applications being for reasonable and necessary services rendered by the applicable Professionals; the reimbursements for expenses detailed in the Final Fee Applications representing actual and necessary expenses incurred by the applicable Professionals in connection with these cases; and the legal and factual bases set forth in the Final Fee Applications having established just cause for the relief granted herein; and after due deliberation thereon; and good and sufficient cause appearing therefor;

¹ 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.

² Capitalized terms not defined herein shall have the meanings ascribed to them in the Interim Compensation Procedures Order.

IT IS HEREBY ORDERED THAT:

1. Final compensation and reimbursement of expenses for the Professionals are hereby allowed as set forth in this Order, including **Exhibit A** attached hereto.
2. The Debtors and/or the Liquidating Trustee are authorized and directed to promptly pay each Professional in the amount of the difference between (a) 100% of the total fees and expenses allowed herein for such Professional as set forth in Column (8) on **Exhibit A** attached hereto and (b) the actual payments already received by such Professional.
3. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.
4. This Order shall be effective immediately upon entry.

Exhibit A

DEBTORS' PROFESSIONALS							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Applicant	Docket No.	Final Period	Total Fees Requested for the Final Period	Total Expenses Requested for the Final Period	Total Amount Requested for the Final Period (Fees and Expenses)	Voluntary Reduction	Total Amount Approved for the Final Period (Fees and Expenses)
Morris, Nichols, Arsht & Tunnell LLP	773	6/17/24-10/17/24	\$2,473,117.50	\$90,310.88	\$2,563,428.38 ¹	\$6,515.45 ²	\$2,556,912.93
Kurtzman Carson Consultants, LLC	782	6/17/24-10/17/24	\$83,862.75	\$0.00	\$83,862.75	\$0.00	\$83,862.75
Davis Polk & Wardwell LLP	785	6/17/24-10/17/24	\$7,323,951.75 ³	\$48,218.19	\$7,372,169.94	\$29,870.39 ⁴	\$7,342,299.55
Huron Consulting Services, LLC	790	6/17/24-10/17/24	\$7,148,958.75	\$69,441.08	\$7,218,399.83	\$0.00	\$7,218,399.83
RBSM LLP	803	9/4/24-10/17/24	\$78,410.00	\$0.00	\$78,410.00	\$0.00	\$78,410.00
SUB TOTALS			\$17,108,300.75	\$207,970.15	\$17,316,270.90	\$36,385.84	\$17,279,885.06

¹ This amount does not include the estimated fees and expenses of \$32,000.00; but reflects the actual fees and expenses of (\$30,487.30) incurred after October 17, 2024, per the *Notice of Filing of Supplement to Fifth Monthly Fee Statement (for the Period October 1, 2024 Through October 17, 2024) and Final Fee Application of Morris, Nichols, Arsht & Tunnell 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. 840).

² This reflects a voluntary fee reduction of \$3,598.00, an expense reduction of \$2,838.45 agreed with the U.S. Trustee, and a voluntary reduction of fees of \$79.00 agreed with the Court.

³ This amount does not include the estimated fees of \$100,00.00; but reflects the actual fees of \$73,868.00 incurred after October 17, 2024, per the *Notice of Filing of Supplement to 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).

⁴ This reflects a voluntary reduction of \$29,625.000 and a voluntary reduction of \$245.39 agreed with the U.S. Trustee.

OFFICIAL COMMITTEE OF UNSECURED CREDITORS' PROFESSIONALS							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Cole Schotz P.C.	779	7/4/24-10/17/24	\$483,602.50 ⁵	\$14,172.06 ⁶	\$497,774.56	\$305.00 ⁷	\$497,469.56
M3 Advisory Partners, LP	780	7/5/24-10/17/24	\$1,004,057.33	\$6,752.84	\$1,010,810.17	\$10,000.00 ⁸	\$1,000,810.17
Morrison & Foerster LLP	781	7/3/24-10/17/24	\$3,011,762.75 ⁹	\$45,175.79	\$3,056,938.54	\$13,297.50 ¹⁰	\$3,043,641.04
SUB TOTALS			\$4,499,422.58	\$66,100.69	\$4,565,523.27	\$23,602.50	\$4,541,920.77
GRAND TOTAL			\$21,607,723.33	\$274,070.84	\$21,881,794.17	\$59,988.34	\$21,821,805.83

⁵ This amount does not include the estimated fees of \$25,00.00; but reflects the actual fees of (\$16,102.50) incurred after October 17, 2024, per the *Notice of Filing of Supplement to the Combined Fourth Monthly and Final Fee Application of Cole Schotz P.C., Delaware Co-Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the Monthly Period from October 1, 2024 Through October 17, 2024 and the Final Period from July 4, 2024 Through October 17, 2024* (D.I. 833).

⁶ This amount includes the actual expense amount (\$62.20) incurred after October 17, 2024, per D.I. 833.

⁷ This reflects a voluntary reduction of \$305.00 agreed with the U.S. Trustee.

⁸ This amount reflects a voluntary reduction of \$10,000.00 agreed with the U.S. Trustee.

⁹ This amount does not include the estimated fees of \$100,000.00; but reflects the actual fees of (\$29,383.50) incurred after October 17, 2024, per the *Notice of Filing of Supplement to the Combined Fourth Monthly and Final Fee Application of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the Monthly Period from October 1, 2024 Through October 17, 2024 and the Final Period from July 3, 2024 Through October 17, 2024* (D.I. 831).

¹⁰ This amount reflects a voluntary reduction of \$13,297.50 agreed with the U.S. Trustee and the Court.