

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

In re:

FULCRUM BIOENERGY, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

Re: Docket No. 9

**NOTICE OF ERRATA REGARDING DECLARATION OF MARK SMITH,  
RESTRUCTURING ADVISOR TO FULCRUM BIOENERGY, INC.,  
IN SUPPORT OF THE CHAPTER 11 PETITIONS AND FIRST DAY MOTIONS**

**PLEASE TAKE NOTICE** that, the Debtors were advised that Switch, Ltd. is not a debtor or an alleged debtor in any chapter 11 cases. In order to clarify that Switch, Ltd. is not a debtor in these or any chapter 11 cases, Paragraph 60 of the *Declaration of Mark Smith, Restructuring Advisor to Fulcrum BioEnergy, Inc., in Support of the Chapter 11 Petitions and First Day Motions* [Docket No. 9] shall be replaced in its entirety with the following language:

60. On September 10, 2024, the Company entered into a Stalking Horse Asset Purchase Agreement with Switch (the “Switch APA”). Under the Switch APA, Switch and the Debtors agreed, subject to the terms and conditions thereof, that the Debtors would file voluntary petitions under title 11 of the Bankruptcy Code and conduct a 363 sales process with Switch serving as the stalking horse bidder, after approval of the Court.

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<sup>1</sup> The Debtors and Debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566. All Court filings can be accessed at: <https://www.veritaglobal.net/Fulcrum>.



Dated: September 26, 2024  
Wilmington, Delaware

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Possession*