

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

In re:

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

Debtors.¹

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

**NOTICE OF AGENDA FOR HEARING SCHEDULED FOR
OCTOBER 15, 2024, AT 10:00 A.M. (EASTERN TIME)**

This proceeding will be conducted in-person in courtroom 7. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (ET) the business day before the hearing unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

MATTERS GOING FORWARD

1. Application of the Debtors (I) for Entry of an Order Authorizing the Retention and Employment of Development Specialists, Inc. as Financial Advisor and Investment Banker *Nunc Pro Tunc* to the Petition Date and (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2(h) ([D.I. 87](#), filed 9/24/24).

Objection Deadline: October 8, 2024, at 4:00 p.m. (ET). Extended to October 9, 2024, at 11:59 p.m. (ET) for the Official Committee of Unsecured Creditors.

¹ 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>.



Responses Received:

- A. Informal comments from the U.S. Trustee.
- B. Informal comments from the Committee.

Related Documents: None at this time.

Status: The Debtors intend to resolve the informal comments of the U.S. Trustee and Committee and submit a revised form of order under certification of counsel.

2. Debtors' Application for Authorization to Employ and Retain Kurtzman Carson Consultants, LLC DBA Verita Global as Administrative Advisor Effective as of the Petition Date ([D.I. 88](#), filed 9/24/24).

Objection Deadline: October 8, 2024, at 4:00 p.m. (ET). Extended to October 9, 2024, at 11:59 p.m. (ET) for the Official Committee of Unsecured Creditors.

Responses Received:

- A. Informal comments from the U.S. Trustee.
- B. Informal comments from the Committee.

Related Documents: None at this time.

Status: The Debtors intend to resolve the informal comments of the U.S. Trustee and Committee and submit a revised form of order under certification of counsel.

3. Debtors' Application for Entry of an Order Authorizing Retention and Employment of Morris, Nichols, Arsht & Tunnell LLP as Bankruptcy Counsel for the Debtors *Nunc Pro Tunc* to the Petition Date ([D.I. 89](#), filed 9/24/24).

Objection Deadline: October 8, 2024, at 4:00 p.m. (ET).

Responses Received: None.

Related Documents: None at this time.

Status: The Debtors intend to file a certificate of no objection.

4. Debtors' Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals ([D.I. 90](#), filed 9/24/24).

Objection Deadline: October 8, 2024, at 11:59 p.m. (ET).

Responses Received:

A. Informal comments from the U.S. Trustee.

Related Documents: None at this time.

Status: The Debtors intend to resolve the informal comments of the U.S. Trustee and Committee and submit a revised form of order under certification of counsel.

Dated: October 11, 2024
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Avery Jue Meng

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