

**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)

Re: D.I. 514

**CERTIFICATE OF NO OBJECTION REGARDING DEBTORS'
SECOND MOTION FOR ENTRY OF AN ORDER EXTENDING THE
EXCLUSIVE PERIODS DURING WHICH ONLY THE DEBTORS
MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES**

The undersigned hereby certifies that, as of the date hereof, Morris, Nichols, Arsht & Tunnell LLP ("Morris Nichols") has received no answer, objection or other responsive pleading to *Debtors' Second Motion for Entry of an Order Extending the Exclusive Periods During Which Only the Debtors may File a Chapter 11 Plan and Solicit Acceptances* (the "Motion") [D.I. 514], filed on April 3, 2025.

The undersigned further certifies that Morris Nichols has reviewed the Court's docket and that no answer, objection or other responsive pleading to the Motion appears thereon. Pursuant to the notice of the Motion, objections to the Motion were to be filed and served no later than April 17, 2025, at 4:00 p.m. (ET).

WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order attached hereto as **Exhibit A** at its earliest convenience.

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>.



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Dated: April 21, 2025
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Avery Jue Meng

Robert J. Dehney, Sr. (No. 3578)

Curtis S. Miller (No. 4583)

Clint M. Carlisle (No. 7313)

Avery Jue Meng (No. 7238)

1201 N. Market Street, 16th Floor

P.O. Box 1347

Wilmington, Delaware 19899-1347

Telephone: (302) 658-9200

Facsimile: (302) 658-3989

Email: rdehney@morrisnichols.com

cmiller@morrisnichols.com

ccarlisle@morrisnichols.com

ameng@morrisnichols.com

Counsel for the Debtors and Debtors in Possession

Exhibit A

Proposed Order

**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)

Re: D.I. 514

**ORDER EXTENDING THE EXCLUSIVE PERIODS DURING WHICH ONLY THE
DEBTORS MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES**

Upon the motion (the “Motion”)² of the above-captioned debtors and debtors in possession (the “Debtors”), pursuant to section 1121(d) of the Bankruptcy Code and Local Rule 9006-2, extending the exclusive period during which the Debtors have the exclusive right to file a chapter 11 plan (the “Exclusive Filing Period”) through and including June 5, 2025, and extending the period during which the Debtors have the exclusive right to solicit acceptances (the “Exclusive Solicitation Period” and together with the Exclusive Filing Period, the “Exclusive Periods”) through and including September 4, 2025; and due and sufficient notice of the Motion having been given under the circumstances; and it appearing that no other or further notice need be provided under the circumstances; and it appearing that the relief requested by this Motion is in the best interests of the Debtors, their estates, and their creditors and other parties in interest; and after due deliberation and sufficient cause appearing therefor;

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 Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

² Capitalized terms not defined herein are defined in the Motion.

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Exclusive Filing Period is hereby extended through and including June 5, 2025, pursuant to section 1121(d) of the Bankruptcy Code.
3. The Exclusive Solicitation Period is hereby extended through and including September 4, 2025, pursuant to section 1121(d) of the Bankruptcy Code.
4. This Order is without prejudice to the Debtors' right to seek further extensions of the Exclusive Periods.
5. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. The Court shall retain jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this Order.