

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

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Lordstown Motors Corp. and Lordstown EV
Corporation,

Plaintiffs,

-against-

Hon Hai Precision Industry Co., Ltd. (a/k/a Hon
Hai Technology Group), Foxconn EV Technology,
Inc., Foxconn Ventures Pte. Ltd., Foxconn (Far
East) Limited, and Foxconn EV System LLC

Defendants.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Adv. Pro. No. 23-50414 (MFW)

Re: Adv. Proc. D.I. 1, 3 & 5

**CERTIFICATION OF COUNSEL REGARDING ORDER
APPROVING STIPULATION EXTENDING RESPONSE DEADLINE**

Hon Hai Precision Industry Co., Ltd. (a/k/a Hon Hai Technology Group), Foxconn EV Technology, Inc., and Foxconn EV Systems LLC (collectively, “Foxconn”), by and through the undersigned counsel, hereby certify as follows:

¹ The debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101) (collectively, the “**Debtors**”). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.



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1. On June 27, 2023, plaintiffs in the above-captioned adversary proceeding (“**Plaintiffs**,” and together with Foxconn, the “**Parties**”) filed the *Complaint* [A.D.I. 1] (the “**Complaint**”) with the United States Bankruptcy Court for the District of Delaware.

2. On June 30, 2023, Plaintiffs filed the *Summons and Notice of Pretrial Conference in an Adversary Proceeding* [A.D.I. 3], under which Foxconn’s initial deadline to answer, move, or otherwise respond to the Complaint was July 31, 2023 (the “**Response Deadline**”),² and a pretrial conference was scheduled to be held on a date to be determined.

3. On July 31, the Court entered an order [A.D.I. 5] approving the Parties’ *Stipulation Extending Response Deadline*, under which the Parties agreed to extend the Response Deadline to and including September 1, 2023.

4. The Parties have engaged in further discussions regarding the Response Deadline and agreed to further extend the Response Deadline to September 29, 2023, as set forth in the proposed form of order attached hereto as **Exhibit A** (the “**Proposed Order**”) and the stipulation (the “**Stipulation**”) attached thereto as Exhibit 1.

WHEREFORE, Foxconn respectfully requests that the Court enter the Proposed Order attached hereto as **Exhibit A** approving the Stipulation.

² The 30th day following the issuance of the Summons is July 30, 2023; however, as that date falls on a Sunday, pursuant to Federal Rule of Bankruptcy Procedure 9006(a)(1)(C), the Response Deadline extends to Monday, July 31, 2023.

Dated: August 18, 2023
Wilmington, Delaware

**MORRIS, NICHOLS, ARSHT & TUNNELL
LLP**

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Exhibit A

Proposed Order

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

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Lordstown Motors Corp. and Lordstown EV
Corporation,

Plaintiffs,

-against-

Hon Hai Precision Industry Co., Ltd. (a/k/a Hon
Hai Technology Group), Foxconn EV Technology,
Inc., Foxconn Ventures Pte. Ltd., Foxconn (Far
East) Limited, and Foxconn EV System LLC

Defendants.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Adv. Pro. No. 23-50414 (MFW)

Re: Adv. Proc. D.I. 1, 3 & 5

ORDER APPROVING STIPULATION EXTENDING RESPONSE DEADLINE

Upon consideration of the *Stipulation Further Extending Response Deadline* (the “**Stipulation**”),² a copy of which is attached hereto as **Exhibit 1**; and the Court having determined that good and adequate cause exists for approval of the Stipulation;

IT IS HEREBY ORDERED THAT:

¹ The debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101) (collectively, the “**Debtors**”). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

² Capitalized terms not defined herein shall have the meaning ascribed to such terms in the Stipulation.

1. The Stipulation is approved.
2. The time within which Foxconn may answer, move, or otherwise respond to the Complaint is hereby extended to and including September 29, 2023 (the “**Response Deadline**”).
3. All other applicable deadlines and obligations under the Local Rules for the United States Bankruptcy Court for the District of Delaware, the Federal Rules of Civil Procedure, and the Federal Rules of Bankruptcy Procedure, including under Bankruptcy Rules 7016 and 7026, are tolled and extended, to the extent necessary, by an equivalent period as the Response Deadline.

Exhibit 1

Stipulation

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

| | |
|---|---|
| In re | Chapter 11 |
| Lordstown Motors Corp., <i>et al.</i> , ¹ | Case No. 23-10831 (MFW) |
| Debtors. | (Jointly Administered) |
| Lordstown Motors Corp. and Lordstown EV Corporation, | Adv. Pro. No. 23-50414 (MFW) |
| Plaintiffs, | Re: Adv. Proc. D.I. 1, 3 & 5 |
| -against- | |
| Hon Hai Precision Industry Co., Ltd. (a/k/a Hon Hai Technology Group), Foxconn EV Technology, Inc., Foxconn Ventures Pte. Ltd., Foxconn (Far East) Limited, and Foxconn EV System LLC | |
| Defendants. | |

STIPULATION FURTHER EXTENDING RESPONSE DEADLINE

Lordstown Motors Corp. (“**Lordstown**” or “**Company**”) and Lordstown EV Corporation (collectively, “**Plaintiffs**”), and Hon Hai Precision Industry Co., Ltd. (a/k/a Hon Hai Technology Group), Foxconn EV Technology, Inc., and Foxconn EV Systems LLC (collectively, “**Foxconn**”, and together with Plaintiffs, the “**Parties**”), by and through their respective undersigned counsel, hereby stipulate and agree (the “**Stipulation**”) as follows:

¹ The debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101) (collectively, the “**Debtors**”). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

WHEREAS, on June 27, 2023, Plaintiffs filed the *Complaint* [A.D.I. 1] (the “**Complaint**”) with the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”);

WHEREAS, on June 30, 2023, Plaintiffs filed the *Summons and Notice of Pretrial Conference in an Adversary Proceeding* [A.D.I. 3] (the “**Summons**”), under which Foxconn’s initial deadline to answer, move, or otherwise respond to the Complaint was July 31, 2023 (the “**Response Deadline**”),² and a pretrial conference was scheduled to be held on a date to be determined;

WHEREAS, On July 31, the Court entered an order [A.D.I. 5] approving the Parties’ *Stipulation Extending Response Deadline*, under which the Parties agreed to extend the Response Deadline to and including September 1, 2023;

WHEREAS, the Parties have engaged in further discussions regarding the Complaint and the Response Deadline, and agreed to further extend the Response Deadline as set forth herein;

WHEREAS, the Parties expressly preserve and do not waive, prejudice, release, or otherwise lose any available claims or defenses, including jurisdictional and sufficiency of service defenses, that may be available under the Federal Rules of Civil Procedure (the “**Civil Rules**”), the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), or any other rules, statutory or common law claim, or defense;

² The 30th day following the issuance of the Summons is July 30, 2023; however, as that date falls on a Sunday, pursuant to Federal Rule of Bankruptcy Procedure 9006(a)(1)(C), the Response Deadline extends to Monday, July 31, 2023.

NOW, THEREFORE, in consideration of the foregoing recitals, and good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereby stipulate and agree as follows:

1. The above recitals are true and correct and are incorporated by reference.
2. The Response Deadline shall be extended to and including September 29, 2023.
3. All other applicable deadlines and obligations under the Local Rules for the United States Bankruptcy Court for the District of Delaware, the Civil Rules, and the Bankruptcy Rules, including under Bankruptcy Rules 7016 and 7026, are tolled and extended, to the extent necessary, by an equivalent period as the Response Deadline.

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Dated: August 18, 2023
Wilmington, Delaware

/s/ Cory D. Kandestin

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