

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

NU RIDE INC., *et al.*,<sup>1</sup>

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Hearing Date: September 26, 2024 at 3:00 p.m. (ET)

Objection Deadline: September 12, 2024 at 4:00 p.m. (ET)

**POST-EFFECTIVE DATE DEBTORS' AND CLAIMS OMBUDSMAN'S  
JOINT THIRD (NON-SUBSTANTIVE) OMNIBUS OBJECTION TO CLAIMS**  
(Duplicate, Amended and Superseded)

**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN CLAIMS. CLAIMANTS RECEIVING THIS OBJECTION SHOULD REVIEW THIS OBJECTION AND LOCATE THEIR NAMES AND CLAIMS ON SCHEDULES 1-2 ATTACHED TO THIS OBJECTION AND, IF APPLICABLE, FILE A RESPONSE BY THE RESPONSE DEADLINE FOLLOWING THE INSTRUCTIONS SET FORTH HEREIN. THE RELIEF SOUGHT HEREIN IS WITHOUT PREJUDICE TO THE POST-EFFECTIVE DATE DEBTORS' AND CLAIMS OMBUDSMAN'S RIGHTS TO PURSUE FURTHER SUBSTANTIVE OR NON-SUBSTANTIVE OBJECTIONS AGAINST CERTAIN CLAIMS LISTED ON SCHEDULES 1-2 ATTACHED TO THIS OBJECTION.**

Nu Ride Inc. and its affiliated reorganized debtors in the above-captioned proceeding (the “Post-Effective Date Debtors”) and Alan Halperin, solely in his capacity as Claims Ombudsman (the “Claims Ombudsman” and together with the Post-Effective Date Debtors, the “Movants”),<sup>2</sup> by and through their respective counsel, hereby jointly submit this third omnibus (non-substantive) objection (the “Objection”), pursuant to §§ 105(a) and 502 of title 11 of the United States Code

<sup>1</sup> The Reorganized 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). The Reorganized Debtors' service address is: Nu Ride Inc. c/o William Gallagher, CEO, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

<sup>2</sup> Capitalized terms used in this Objection but not otherwise defined herein shall have the same meaning as in the *Third Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and its Affiliated Debtors* (the “Plan”) [Dkt. No. 1066], unless the context otherwise requires.



(the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), seeking an order substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”): (1) disallowing and expunging in full the duplicate claims identified on **Schedule 1** attached to the Proposed Order (the “Duplicate Claims”); and (2) disallowing and expunging in full the amended and superseded claims that are identified on **Schedule 2** attached to the Proposed Order (the “Amended and Superseded Claims” and together with the Duplicate Claims, the “Disputed Claims”). In support of this Objection, the Movants submit the *Declaration of Alan D. Halperin Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Support of the Post-Effective Date Debtors’ and Claims Ombudsman’s Joint Third (Non-Substantive) Omnibus Objection to Claims (Duplicate, Amended and Superseded)* (the “Halperin Declaration”) attached hereto as **Exhibit B**. In further support of this Objection, the Movants respectfully represent as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012 (Sleet, C.J.). This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
2. The predicates for the relief requested by this Objection are section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1.
3. Pursuant to Local Rule 9013-1(f), the Movants consent to the entry of a final judgment or order with respect to this Objection if it is determined that this Court lacks Article III jurisdiction to enter such final order or judgment absent consent of the parties.

### **BACKGROUND**

4. On June 27, 2023 (the “Petition Date”), Lordstown Motors Corp. and its affiliated debtors (the “Debtors”) filed voluntary petitions in the United States Bankruptcy Court for the District of Delaware (the “Court”) commencing these cases (the “Chapter 11 Cases”), which are being jointly administered for procedural purposes only pursuant to Bankruptcy Rule 1015(b).

### **CLAIMS PROCESS**

5. On June 28, 2023, the Court entered an order authorizing the Debtors to retain and employ Kurtzman Carson Consultants LLC (now known as Verita Global) (“Verita”) as its claims and noticing agent [Dkt. No 54], and on July 25, 2023, the Court entered an order authorizing Verita to be the Debtors’ administrative advisor under 11 U.S.C. § 327(a) [Dkt. No. 174].

6. On August 1, 2023, the Debtors filed their schedules of assets and liabilities and statements of financial affairs [Dkt. No. 210-17], which were subsequently amended [Dkt. No. 377-385] on September 7, 2023 and may be further amended from time to time (collectively, as amended, supplemented, or further amended, the “Schedules”).

7. On August 24, 2023, the Court entered the *Order (A) Establishing Bar Dates and Related Procedures for Filing Proofs of Claim, Including Claims Arising Under Section 503(b)(9) of the Bankruptcy Code, (B) Approving the Form, Manner, and Procedures of Notice Thereof, and (C) Granting Related Relief* [Dkt. No. 319] (the “Bar Date Order”).

8. The Bar Date Order established, among other things: (a) October 10, 2023 at 5:00 p.m. (prevailing Eastern Time) as the deadline to file proofs of claim in the Chapter 11 Cases for persons or entities (except governmental units (as such term is defined in section 101(27) of the Bankruptcy Code)) (the “General Bar Date”); (b) December 26, 2023 at 5:00 p.m. (prevailing Eastern Time) as the deadline for governmental units to file proofs of claim in the Chapter 11

Cases (the “Governmental Bar Date”); (c) the Rejection Bar Date (as defined in the Bar Date Order) as the later of: (a) the General Bar Date or the Governmental Bar Date (if a governmental unit is the counterparty to the applicable executory contract or unexpired lease) and (b) 5:00 p.m. (prevailing Eastern Time) on the date that is thirty (30) days after the service of an order of the Court authorizing the Debtors’ rejection of the applicable executory contract or unexpired lease; and (d) the Amended Schedule Bar Date (as defined in the Bar Date Order) as the later of (a) the General Bar Date or the Governmental Bar Date (if the applicable amendment relates to a claim of a Governmental Unit) and (b) 5:00 p.m. (prevailing Eastern Time) on the date that is 30 days after the claimant is served with notice of the applicable amendment or supplement to the Debtors’ schedules.

9. On August 28, 2023, the Debtors filed the *Notice of Deadlines for Filing Proofs of Claim, Including Claims Arising Under Section 503(b)(9) of the Bankruptcy Code Against Debtors* [Dkt. No. 335] (the “Bar Date Notice”).

10. In accordance with the Bar Date Order, on August 31, 2023, Verita served the Bar Date Notice and proof of claim forms, via email and/or first-class mail to all creditors and any other known holders of potential claims in these Chapter 11 Cases and their counsel (if known). Verita also served the Bar Date Notice to all known registered holders of Lordstown Motors Corp. common stock and preferred stock, and any holders for whose benefit such registered holder holds down the chain of ownership for all such holders of common or preferred stock. Further, the Bar Date Notice was published in the *The Wall Street Journal* and *Automotive News* on August 31, 2023 and September 11, 2023, respectively [Dkt. No. 591] (the “Publication Notice”).

11. On March 6, 2024, the Court entered the *Order (I) Confirming Third Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and its Affiliated Debtors and (II)*

*Granting Related Relief* (the “Confirmation Order”) [Dkt. No. 1069], confirming the Debtors’ Plan. As set forth in the *Notice of Effective Date and Entry of Order (I) Confirming the Third Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and its Affiliated Debtors and (II) Granting Related Relief* (the “Notice of Effective Date”) [Dkt. No. 1096], the Plan became effective on March 14, 2024 (the “Effective Date”).

12. The Plan established April 14, 2024 as the deadline by which requests for payment of Allowed Administrative Claims (except with respect to Administrative Claims that are Professional Fee Claims) must be filed (the “Administrative Claims Bar Date” and together with the General Bar Date, the Governmental Bar Date, the Rejection Bar Date, and the Amended Schedule Bar Date, the “Bar Dates”).

13. Pursuant to the Plan, the Debtors’ Chapter 11 Cases were substantively consolidated for the limited purpose of making Distributions. *Plan*, Art. V.A. As such, Claims asserted against multiple Debtors, including Claims based on joint and several liability and guarantee and/or surety Claims are deemed to constitute a single Claim against the consolidated Estate. *Id.*

14. Pursuant to the Confirmation Order and Plan, on the Effective Date, Alan D. Halperin was appointed Claims Ombudsman in these Chapter 11 Cases. *See* Confirmation Order, ¶ 68; Plan, Article V.D.1. As Ombudsman, Alan D. Halperin has the right, authority, and responsibility to object to, seek to subordinate, compromise or settle any and all General Unsecured Claims, including by filing and prosecuting objections to General Unsecured Claims, subject to the limitations set forth in the Plan. Confirmation Order, ¶ 69, Plan, Article V.D.2. Additionally, the Ombudsman has the right to assert any and all rights and defenses that the applicable Debtor had with respect to any General Unsecured Claim immediately before the

Effective Date. *Id.* All rights not expressly delegated to the Claims Ombudsman under the Plan are expressly reserved to the Post-Effective Date Debtors. *Id.* The Post-Effective Date Debtors have asked the Claims Ombudsman to review and reconcile certain secured, administrative and priority claims that are the subject of this Objection.

15. The claims register for these Chapter 11 Cases (the “Claims Register”), prepared and maintained by Verita, shows that over 1,645 proofs of claim have been filed against the Debtors as of the filing of this Objection.

16. In the ordinary course of business, the Debtors maintained books and records (the “Books and Records”) that generally reflect, among other things, the nature and amount of the liabilities owed to their creditors. The Movants, with the assistance of their advisors, have actively begun reviewing and reconciling proofs of claim with the Debtors’ Schedules and Books and Records, which process includes identifying certain categories of claims that may be subject to objection, disallowance, and expungement. While this analysis and reconciliation is ongoing, the Movants have determined that the Disputed Claims should be disallowed for one or more reasons. Accordingly, the Movants file this Objection seeking the relief requested below.

**CLAIM OBJECTION RELIEF REQUESTED**

17. By this Objection, and for the reasons set forth more fully below, the Movants object to the Disputed Claims pursuant to §§ 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rules 3007 and 9014, and Local Rule 3007-1.

18. When asserting a proof of claim against a bankruptcy estate, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *In re Allegheny Int’l, Inc.*, 954 F.2d 167, 173 (3d Cir. 1992); *Matter of Int’l Match Corp.*, 69 F.2d 73, 76 (2d Cir. 1934) (finding that a proof of claim should at least allege facts from which legal liability

can be seen to exist). Where a claimant alleges sufficient facts to support its claim, its claim is afforded *prima facie* validity. *In re Allegheny Int'l, Inc.*, 954 F.2d at 173. A party wishing to dispute such a claim must produce evidence in sufficient force to negate the claim's *prima facie* validity. *Id.* In practice, the objecting party must produce evidence that would refute at least one of the allegations essential to the claim's legal sufficiency. *Id.* Once the objecting party produces such evidence, the burden shifts back to the claimant to prove the validity of his or her claim by a preponderance of the evidence. *Id.* The burden of persuasion is always on the claimant. *Id.*

a. Duplicate Claims

19. The Duplicate Claims were filed by or on behalf of the same claimant against one or more of the Debtors with respect to the same obligation. The Claims listed on **Schedule 1** in the column labeled "Duplicate Claims to be Disallowed" are duplicates of the corresponding Claim listed in the column labeled "Surviving Claims". If the Duplicate Claims are not expunged or disallowed, the Debtors risk granting multiple recoveries to a claimant on account of a single claim of liability. In order to ensure that the claimants have only a single claim of liability (and in implementing substantive consolidation for Distribution purposes only, as contemplated in the Plan), the Movants seek to disallow the Duplicate Claims to clean up the claims register and eliminate the redundant claims. The Holders of the Duplicate Claims will retain a Surviving Claim after the disallowance and expungement of the Duplicate Claims, to the extent the Surviving Claim is not the subject of a successful objection. Although the Movants do not object herein to the validity, amount or priority of the Surviving Claims, the Movants expressly reserve the right to object to the Surviving Claims on any grounds whatsoever at a later date.

20. As set forth in the Halperin Declaration, each of the Duplicate Claims asserts a basis for liability that is identical to that asserted in the proposed surviving claim filed by the

claimant. As such, the disallowance of the Duplicate Claims will not prejudice the claimants or their substantive rights or claims against the Debtors.

b. Amended and Superseded

21. The Movants have identified Claims that appear to amend and supersede other Claims scheduled by or filed against the Debtors. A list of the Amended and Superseded Claims is set forth on **Schedule 2** hereto in the column labeled “Amended Claim to be Disallowed”. The Movants also listed on **Schedule 2** in the column titled “Surviving Claim” the Claims that they believe amend and supersede the Amended and Superseded Claims, which will remain on the Claims Register. To avoid multiple recoveries, the Movants request that the Court disallow and expunge in their entirety the Amended and Superseded Claims. The Movants believe that the claimants holding the Amended and Superseded Claims will not be prejudiced by having their Amended and Superseded Claims disallowed because their “Surviving Claim” set forth on **Schedule 2** will remain on the Claims Register after the corresponding Amended and Superseded Claims are disallowed. Although the Movants do not object herein to the validity, amount or priority of the Surviving Claims, the Movants expressly reserve the right to object to the Surviving Claims on any grounds whatsoever at a later date.

**RESPONSES TO OBJECTION**

22. Filing and Service of Responses. To contest this Objection, a holder of a Disputed Claim must file and serve a written response to this Objection (a “Response”) so that it is actually received by the Clerk of th Court and the parties in the following paragraph no later than 4:00 p.m. (ET) on September 12, 2024 (the “Response Deadline”). Claimants should read the Proposed Order and Exhibits attached carefully.



23. Each Response must be filed and served upon the following entities at the following addresses: (i) counsel for the Post-Effective Date Debtors: (a) Brown Rudnick LLP, One Financial Center, Boston, MA 02111 (Attn: Sharon I. Dvoskin ([sdvoskin@brownrudnick.com](mailto:sdvoskin@brownrudnick.com))); and (b) Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801 (Attn: Eric J. Monzo ([emonzo@morrisjames.com](mailto:emonzo@morrisjames.com)) and Brya M. Keilson ([bkeilson@morrisjames.com](mailto:bkeilson@morrisjames.com))); and (ii) counsel for the Claims Ombudsman: (a) Halperin Battaglia & Benzija LLP, 40 Wall Street, New York, NY 10005 (Attn: Walter Benzija ([wbenzija@halperinlaw.net](mailto:wbenzija@halperinlaw.net)) and Keara Waldron ([kwaldron@halperinlaw.net](mailto:kwaldron@halperinlaw.net))), and (iv) (b) Bielli Klauder, LLC, 1204 N. King Street, Wilmington, DE 19801 (Attn: David M. Klauder ([dklauder@bk-legal.com](mailto:dklauder@bk-legal.com))).

24. Content of Responses. Every Response to this Objection must contain, at a minimum, the following:

- (a) a caption setting forth the name of the Court, the name of the Debtor, the case number and the title of this Objection to which the Response is directed;
- (b) the name of the claimant and description of the basis for the amount of the Disputed Claim;
- (c) a concise statement setting forth the reasons why the relief in this Objection should not be granted, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection;
- (d) all documentation or other evidence supporting the Disputed Claim not previously filed with the Bankruptcy Court or the Agent, upon which the claimant relies in opposing this Objection; and
- (e) the name, address, telephone number, email and fax number of the person(s) (which may be the claimant or a legal representative thereof) to whom counsel for the Movants should serve a reply, if any, to the Response and who possesses authority to reconcile, settle or otherwise resolve the objection to the Claim on behalf of the claimant.

25. A Response must address each ground upon which the Debtors object to a particular Disputed Claim.

26. Timely Response Required; Hearings; Replies. If a Response is properly and timely filed and served in accordance with the above procedures, the Movants will endeavor to reach a consensual resolution with the claimant. If no consensual resolution is reached, the Court will conduct a hearing with respect to the Objection and the Response on September 26, 2024 at 3:00 p.m. (E.T.) or such other date and time as parties filing Responses may be notified. Only those Responses made in writing and timely filed and received will be considered by the Court at any such hearing.

27. If a claimant fails to file and serve a timely Response, then without further notice to the claimant or a hearing, the Movants will present to the Court an appropriate order, substantially in the form of the Proposed Order attached as Exhibit A hereto, to grant the relief requested herein.

28. Adjournment of Hearing. The Movants reserve the right to seek an adjournment of the hearing on any Response to this Objection, which adjournment will be noted on the notice of agenda for the hearing. The agenda will be served on the person designated by the claimant in its Response.

29. Separate Contested Matter. The objection by the Movants to each claim shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Any order entered by the Court regarding an objection asserted in this Objection shall be deemed a separate order with respect to each claim subject thereto.

#### **RESERVATION OF RIGHTS**

30. The Movants expressly reserve the right to amend, modify, or supplement this Objection, and to file additional objections to the Disputed Claims, Surviving Claims or any other claims (filed or not) that may be asserted against the Debtors and their estates.

31. Notwithstanding anything contained in the Objection, or the exhibits and schedules attached hereto, nothing herein will be construed as a waiver of any rights that the Movants or any successor thereof may have to enforce rights of setoff against the claimants.

32. Nothing in this Objection shall be deemed: (a) an admission as to the amount of, basis for, or validity of any Claim against the Debtors under the Bankruptcy Code or other applicable nonbankruptcy law; (b) a waiver of the Movants' or any other party in interest's right to dispute any Claim; (c) a promise or requirement to pay any particular Claim; (d) an implication or admission that any particular Claim is of a type specified or defined in this Objection; (e) an admission as to the validity, priority, enforceability, or perfection of any lien on, security interest in, or other encumbrance on property of the Debtors' estates; or (f) a waiver of any claims or causes of action which may exist against any entity under the Bankruptcy Code or any other applicable law.

**STATEMENT OF COMPLIANCE WITH LOCAL RULE 3007-1**

33. To the extent that a response is filed regarding any Disputed Claim listed in this Objection and the Movants are unable to resolve the response, each such Disputed Claim, and the objection by the Movants to each such Disputed Claim asserted herein, shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Any order entered by the Court regarding an objection asserted in the Objection shall be deemed a separate order with respect to each Disputed Claim.

**NOTICE**

34. A copy of this Objection and all related exhibits will be served on (i) the Office of the United States Trustee for the District of Delaware; (ii) each Holder of a Disputed Claim; and (iii) other parties entitled to notice under the Plan and Bankruptcy Rule 2002. The Movants respectfully submit that no further notice of this Objection is required.

35. Pursuant to Bankruptcy Rule 3007, the Movants have provided all claimants affected by this Objection with at least thirty (30) days' notice of the hearing to consider this Objection.

**NO PRIOR REQUEST**

36. No previous request for the relief sought herein has been made to this or any other Court.

**CONCLUSION**

WHEREFORE the Movants respectfully request entry of an order substantially in the form of the Proposed Order attached hereto as **Exhibit A** granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: August 27, 2024

/s/ David M. Klauder

**BIELLI & KLAUDER LLC**

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# **EXHIBIT A**

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

In re:

NU RIDE INC., *et al.*,<sup>1</sup>

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**ORDER GRANTING POST-EFFECTIVE DATE DEBTORS' AND  
CLAIMS OMBUDSMAN'S JOINT THIRD (NON-SUBSTANTIVE)  
OMNIBUS OBJECTION TO CLAIMS  
(Duplicate, Amended and Superseded)**

Upon the *Post-Effective Date Debtors' and Claims Ombudsman's Joint Third (Non-Substantive) Omnibus Objection to Claims (Duplicate, Amended and Superseded)* (the "Objection")<sup>2</sup>, filed by Nu Ride Inc. and its affiliated reorganized debtors (the "Post-Effective Date Debtors") and Alan Halperin, solely in his capacity as Claims Ombudsman in the above-captioned cases (the "Claims Ombudsman" and together with the Post-Effective Date Debtors, the "Movants") for entry of an order disallowing and expunging in their entirety the claims set forth on **Schedule 1 and 2** hereto (each a "Disputed Claim" and collectively, the "Disputed Claims"), all as more fully set forth in the Objection; and upon the *Declaration of Alan D. Halperin Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Support of the Post-Effective Date Debtors' and Claims Ombudsman's Joint Third (Non-Substantive) Omnibus Objection to Claims (Duplicate, Amended and Superseded)* (the "Halperin Declaration") filed contemporaneously with the Objection and in support thereof; and this Court having jurisdiction to consider the Objection and

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<sup>1</sup> The Reorganized 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). The Reorganized Debtors' service address is: Nu Ride Inc. c/o William Gallagher, CEO, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated as of February 29, 2012; and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided, and no other or further notice being required; and the Court having considered all responses to the Objection, if any, and all such responses having been either overruled or withdrawn; and upon all proceedings had before the Court; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and

This Court having **FOUND AND DETERMINED THAT:**

A. Each holder of a Disputed Claim listed on **Schedule 1 and 2** attached hereto was properly and timely served with a copy of the Objection and all of its accompanying exhibits and notice of a hearing on the Objection and response deadline,

B. Any entity known to have an interest in the Disputed Claims subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection, and

C. The relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors, and other parties in interest;

D. And after due deliberation and sufficient cause appearing therefor,

**IT IS THEREFORE ORDERED THAT:**

1. The Objection is **GRANTED**.
2. Any Response to the Objection not otherwise withdrawn, resolved, or adjourned is overruled on the merits.



3. The Duplicate Claims listed in the column entitled “Duplicate Claims to be Disallowed” on **Schedule 1** attached hereto are hereby disallowed and expunged in their entirety.

4. The Amended and Superseded Claims listed in the column entitled “Amended Claim to be Disallowed” on **Schedule 2** attached hereto are hereby disallowed and expunged in their entirety.

5. The objection by the Movants to each of the Disputed Claims, as addressed in the Objection, and the schedules hereto, constitutes a separate contested matter with respect to each such claim, as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Disputed Claim.

6. Any stay of this Order pending appeal by any holder of a Disputed Claim or any other party with an interest in such claims that are subject to this Order shall only apply to the contested matter which involves such party and shall not act to stay the applicability and/or finality of this Order with respect to other contested matters arising from the Objection or this Order.

7. Nothing in the Objection or this Order shall be construed as an allowance of any Claim.

8. Movants’ rights to amend, modify, or supplement the Objection, to file additional objections to the Disputed Claims, Surviving Claims, or any other claims (filed or not) which have or may be asserted against the Debtors or their estates, and to seek further reduction of any Claim, are preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Ombudsman’s right to object on other stated grounds or any other grounds that the Ombudsman discovers during the pendency of these Chapter 11 Cases are further preserved.

9. Nothing in this Order or the Objection is intended or shall be construed as a waiver of any of the rights the Movants may have to enforce rights of setoff against the claimants.

10. The Movants, Verita, and the Clerk of this Court are authorized and directed to expunge the Disputed Claims on the official claims registry pursuant to this Order and to make other changes to the official claims registry as necessary to reflect the terms of this Order.

11. Nothing in the Objection or this Order, nor any actions or payments made by the Post-Effective Date Debtors pursuant to this Order, shall be construed as: (a) an admission as to the amount of, basis for, or validity of any Claim against the Debtors under the Bankruptcy Code or other applicable nonbankruptcy law; (b) a waiver of the Movants' or any other party in interest's right to dispute any Claim; (c) a promise or requirement to pay any particular Claim; (d) an implication or admission that any particular Claim is of a type specified or defined in this Order; (e) an admission as to the validity, priority, enforceability, or perfection of any lien on, security interest in, or other encumbrance on property of the Debtors' estates; or (f) a waiver of any claims or causes of action which may exist against any entity under the Bankruptcy Code or any other applicable law.

12. This Order is immediately effective and enforceable.

13. This Court shall retain jurisdiction to hear and determine all matters arising from the interpretation and/or implementation of this Order.

Dated: \_\_\_\_\_, 2024  
Wilmington, Delaware

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The Honorable Mary F. Walrath  
United States Bankruptcy Judge

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
1	Anderson Jr, Joseph	1402	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1401	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1402 is duplicative of Claim 1401
2	Anderson Jr, Joseph	1407	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1401	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1407 is duplicative of Claim 1401
3	Asif, Muhammad	1005	\$0.00 \$0.00 \$0.00 \$1,069.00	Administrative Priority Secured Priority General Unsecured	1504	\$0.00 \$0.00 \$0.00 \$293.24	Administrative Priority Secured Priority General Unsecured	Claim 1005 is duplicative of Claim 1504
4	Cairone, David C.	382	\$0.00 \$0.00 \$0.00 \$639.65	Administrative Priority Secured Priority General Unsecured	697	\$0.00 \$0.00 \$0.00 \$639.65	Administrative Priority Secured Priority General Unsecured	Claim 382 is duplicative of Claim 697
5	Coniglio-Kirk, Jill	1423	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	1422	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1423 is duplicative of Claim 1422
6	Coniglio-Kirk, Jill	1424	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	1422	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1424 is duplicative of Claim 1422
7	Daniel, Geevarughese & Lilly C	504	\$0.00 \$0.00 \$0.00 \$28,260.00	Administrative Priority Secured Priority General Unsecured	503	\$0.00 \$0.00 \$0.00 \$28,260.00	Administrative Priority Secured Priority General Unsecured	Claim 504 is duplicative of Claim 503
8	Daniel, Geevarughese & Lilly C	505	\$0.00 \$0.00 \$0.00 \$28,260.00	Administrative Priority Secured Priority General Unsecured	503	\$0.00 \$0.00 \$0.00 \$28,260.00	Administrative Priority Secured Priority General Unsecured	Claim 505 is duplicative of Claim 503

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
9	Duong, Hien Q	274	\$0.00 \$0.00 \$0.00 \$45,565.86	Administrative Priority Secured Priority General Unsecured	488	\$0.00 \$0.00 \$0.00 \$45,565.86	Administrative Priority Secured Priority General Unsecured	Claim 274 is duplicative of Claim 488
10	Feldman, Keith	1146	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1139	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1146 is duplicative of Claim 1139
11	Feldman, Keith	1149	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1139	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1149 is duplicative of Claim 1139
12	Globestar Systems Inc.	1420	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1399	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1420 is duplicative of Claim 1399
13	Globestar Systems Inc.	1421	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1399	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1421 is duplicative of Claim 1399
14	Ibarra Jr, Adolfo	1409	\$0.00 \$0.00 \$0.00 \$9,999.60	Administrative Priority Secured Priority General Unsecured	1408	\$0.00 \$0.00 \$0.00 \$9,999.60	Administrative Priority Secured Priority General Unsecured	Claim 1409 is duplicative of Claim 1408
15	Jiang, Galen X	1358	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1381	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1358 is duplicative of Claim 1381
16	Langdon, Judy	1520	\$0.00 \$0.00 \$0.00 \$1,944.10	Administrative Priority Secured Priority General Unsecured	625	\$0.00 \$0.00 \$0.00 \$1,944.10	Administrative Priority Secured Priority General Unsecured	Claim 1520 is duplicative of Claim 625

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
17	Libby, Kenneth D.	1466	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	1182	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	Claim 1466 is duplicative of Claim 1182
18	Libby, Kenneth D.	1495	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	1182	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	Claim 1495 is duplicative of Claim 1182
19	Libby, Kenneth D.	1502	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	1182	\$0.00 \$0.00 \$0.00 \$411.77	Administrative Priority Secured Priority General Unsecured	Claim 1502 is duplicative of Claim 1182
20	Lopez V., J Demetrio	778	\$0.00 \$0.00 \$0.00 \$2,839.29	Administrative Priority Secured Priority General Unsecured	875	\$0.00 \$0.00 \$0.00 \$2,839.29	Administrative Priority Secured Priority General Unsecured	Claim 778 is duplicative of Claim 875
21	Nandlall, Deovitree	735	\$0.00 \$0.00 \$0.00 \$4,135.00	Administrative Priority Secured Priority General Unsecured	733	\$0.00 \$0.00 \$0.00 \$4,135.00	Administrative Priority Secured Priority General Unsecured	Claim 735 is duplicative of Claim 733
22	Nikoo, Majid	1643	\$0.00 \$0.00 \$0.00 \$773.98	Administrative Priority Secured Priority General Unsecured	1035	\$0.00 \$0.00 \$0.00 \$773.98	Administrative Priority Secured Priority General Unsecured	Claim 1643 is duplicative of Claim 1035
23	Pabbathi, Ashith	1377	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1376	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1377 is duplicative of Claim 1376
24	Pabbathi, Ashith	1378	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1376	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1378 is duplicative of Claim 1376

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
25	Ramirez, Juan Carlos	975	\$0.00 \$0.00 \$0.00 \$994.47	Administrative Priority Secured Priority General Unsecured	999	\$0.00 \$0.00 \$0.00 \$994.47	Administrative Priority Secured Priority General Unsecured	Claim 975 is duplicative of Claim 999
26	Reiss, Jane	1201	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1198	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1201 is duplicative of Claim 1198
27	Reiss, Jane	1286	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1198	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1286 is duplicative of Claim 1198
28	RITSON, JANE	1235	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1234	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1235 is duplicative of Claim 1234
29	RITSON, JANE	1238	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1234	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1238 is duplicative of Claim 1234
30	Rock, Joseph	324	\$0.00 \$0.00 \$0.00 \$4,140.24	Administrative Priority Secured Priority General Unsecured	295	\$0.00 \$0.00 \$0.00 \$4,140.24	Administrative Priority Secured Priority General Unsecured	Claim 324 is duplicative of Claim 295
31	Sancrainte, Robert Matthew	73	\$0.00 \$0.00 \$0.00 \$2,068.97	Administrative Priority Secured Priority General Unsecured	1577	\$0.00 \$0.00 \$0.00 \$2,068.97	Administrative Priority Secured Priority General Unsecured	Claim 73 is duplicative of Claim 1577
32	Soave, Laura	1404	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1403	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1404 is duplicative of Claim 1403

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
33	Soave, Laura	1405	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1403	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1405 is duplicative of Claim 1403
34	Spencer, Dale	1165	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1159	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1165 is duplicative of Claim 1159
35	Spencer, Dale G.	1160	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1159	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1160 is duplicative of Claim 1159
36	Strand, Angela	1350	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1311	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1350 is duplicative of Claim 1311
37	Strand, Angela	1355	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1311	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1355 is duplicative of Claim 1311
38	Tavares, Daniel	1397	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1395	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1397 is duplicative of Claim 1395
39	Tavares, Daniel	1398	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1395	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1398 is duplicative of Claim 1395
40	Urmam, Mark	399	\$0.00 \$0.00 \$0.00 \$250.00	Administrative Priority Secured Priority General Unsecured	1545	\$0.00 \$0.00 \$0.00 \$250.00	Administrative Priority Secured Priority General Unsecured	Claim 399 is duplicative of Claim 1545

		Duplicate Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance*
41	Watne, Matthew T	57	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	63	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	Claim 57 is duplicative of Claim 63
42	Watne, Matthew T	58	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	63	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	Claim 58 is duplicative of Claim 63
43	Wilson, Ross A	1633	\$0.00 \$0.00 \$0.00 \$1,305.00	Administrative Priority Secured Priority General Unsecured	521	\$0.00 \$0.00 \$0.00 \$1,305.00	Administrative Priority Secured Priority General Unsecured	Claim 1633 is duplicative of Claim 521
44	Workhorse Group Inc.	1183	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1168	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1183 is duplicative of Claim 1168
45	Yau, Kevin	446	\$0.00 \$0.00 \$0.00 \$15,127.00	Administrative Priority Secured Priority General Unsecured	448	\$0.00 \$0.00 \$0.00 \$15,127.00	Administrative Priority Secured Priority General Unsecured	Claim 446 is duplicative of Claim 448

*\*As the Plan provides the Debtors' estates are substantively consolidated for purposes of making Distributions, duplicate claims filed against multiple Debtors, including Claims based on joint and several liability and guarantee and/or surety Claims, are deemed to constitute a single Claim against the consolidated Estate.*



		Amended Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance
1	Anderson Jr, Joseph	1255	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1402	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1255 is amended and superseded by Claim 1402
2	Anderson Jr, Joseph	1256	\$0.00 \$0.00 \$0.00 BLANK	Administrative Priority Secured Priority General Unsecured	1407	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1256 is amended and superseded by Claim 1407
3	Brose do Brasil Ltda.	1263	\$0.00 \$0.00 \$0.00 \$1,921,755.73	Administrative Priority Secured Priority General Unsecured	1602	\$0.00 \$0.00 \$0.00 \$1,808,815.77	Administrative Priority Secured Priority General Unsecured	Claim 1263 is amended and superseded by Claim 1602
4	Burns, Steve	1258	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	1619	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1258 is amended and superseded by Claim 1619
5	Chuang, Shu Jung T	1141	\$0.00 \$0.00 \$10,779.46 \$0.00	Administrative Priority Secured Priority General Unsecured	1288	\$0.00 \$0.00 \$25,000.00 \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1141 is amended and superseded by Claim 1288
6	Cole, Goffery K.	217	\$0.00 \$0.00 \$0.00 \$289,112.39	Administrative Priority Secured Priority General Unsecured	454	\$0.00 \$0.00 \$0.00 \$289,057.89	Administrative Priority Secured Priority General Unsecured	Claim 217 is amended and superseded by Claim 454
7	Coniglio-Kirk, Jill	1136	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1423	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1136 is amended and superseded by Claim 1423
8	Coniglio-Kirk, Jill	1131	\$0.00 \$0.00 \$0.00 \$130,000.00	Administrative Priority Secured Priority General Unsecured	1422	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1131 is amended and superseded by Claim 1422

		Amended Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance
9	HILBERT, BRYAN	1133	\$0.00 \$0.00 \$0.00 \$106,811.14	Administrative Priority Secured Priority General Unsecured	1253	\$0.00 \$0.00 \$0.00 \$38,050.00	Administrative Priority Secured Priority General Unsecured	Claim 1133 is amended and superseded by Claim 1253
10	Jiang, Yvonne	1179	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1396	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	Claim 1179 is amended and superseded by Claim 1396
11	Kerzich, Christopher	460	\$0.00 \$0.00 \$6,300.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	536	\$0.00 \$0.00 \$28,845.00 \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 460 is amended and superseded by Claim 536
12	Mondal, Debashis	1287	\$0.00 \$0.00 \$0.00 \$5,600.00	Administrative Priority Secured Priority General Unsecured	1292	\$0.00 \$0.00 \$0.00 \$6,600.00	Administrative Priority Secured Priority General Unsecured	Claim 1287 is amended and superseded by Claim 1292
13	Nelson Mullins Riley and Scarborough LLP	1093	\$0.00 \$0.00 \$0.00 \$4,408.01	Administrative Priority Secured Priority General Unsecured	1555	\$0.00 \$0.00 \$0.00 \$2,341.50	Administrative Priority Secured Priority General Unsecured	Claim 1093 is amended and superseded by Claim 1555
14	Pathmanathan, Vino	1428	\$0.00 \$0.00 \$0.00 \$25,000.00	Administrative Priority Secured Priority General Unsecured	1435	\$0.00 \$0.00 \$0.00 \$23,174.17	Administrative Priority Secured Priority General Unsecured	Claim 1428 is amended and superseded by Claim 1435
15	Port, Michael H.	1236	\$0.00 \$0.00 \$0.00 \$167,500.00	Administrative Priority Secured Priority General Unsecured	1279	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1236 is amended and superseded by Claim 1279
16	Schmidt, Rich	1257	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	1624	\$0.00 \$0.00 UNLIQUIDATED \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1257 is amended and superseded by Claim 1624

		Amended Claim to be Disallowed			Surviving Claim			
#	Name of Claimant	Claim No.	Claim Amount	Claim Type	Claim No.	Claim Amount	Claim Type	Reason for Disallowance
17	SINHA, PANKAJ	664	\$0.00 \$0.00 \$0.00 \$5,631.28	Administrative Priority Secured Priority General Unsecured	792	\$0.00 \$0.00 \$0.00 \$5,644.87	Administrative Priority Secured Priority General Unsecured	Claim 664 is amended and superseded by Claim 792
18	The Timken Company and The Timken Corporation	1218	\$0.00 \$316,514.00 \$0.00 \$0.00	Administrative Priority Secured Priority General Unsecured	1591	\$0.00 UNLIQUIDATED \$0.00 \$0.00	Administrative Priority Secured Priority General Unsecured	Claim 1218 is amended and superseded by Claim 1591
19	Watne, Matthew T	59	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	63	\$0.00 \$0.00 \$0.00 \$2,785.00	Administrative Priority Secured Priority General Unsecured	Claim 59 is amended and superseded by Claim 63
20	Weese, Curtis T	864	\$0.00 \$0.00 \$0.00 UNLIQUIDATED	Administrative Priority Secured Priority General Unsecured	1113	\$0.00 \$0.00 \$0.00 \$371,519.83	Administrative Priority Secured Priority General Unsecured	Claim 864 is amended and superseded by Claim 1113
21	Wong, Steven	166	\$0.00 \$0.00 \$0.00 \$292.38	Administrative Priority Secured Priority General Unsecured	175	\$0.00 \$0.00 \$0.00 \$292.38	Administrative Priority Secured Priority General Unsecured	Claim 166 is amended and superseded by Claim 175

# **EXHIBIT B**

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

In re:

NU RIDE INC., *et al.*,<sup>1</sup>

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**DECLARATION OF ALAN D. HALPERIN PURSUANT TO  
28 U.S.C. § 1746 AND LOCAL RULE 3007-1 IN SUPPORT OF THE  
POST-EFFECTIVE DATE DEBTORS' AND CLAIMS OMBUDSMAN'S  
JOINT THIRD (NON-SUBSTANTIVE) OMNIBUS OBJECTION TO CLAIMS  
(Duplicate, Amended and Superseded)**

Alan D. Halperin, under penalty of perjury, hereby declares as follows:

1. I am the Claims Ombudsman (the "Ombudsman") for the above-captioned debtors (collectively, the "Debtors") and I submit this declaration in support of the *Post-Effective Date Debtors' and Claims Ombudsman's Joint Third (Non-Substantive) Omnibus Objection to Claims (Duplicate, Amended and Superseded)* (the "Objection"), pursuant to which I, together with the Post-Effective Date Debtors, am requesting that this Court enter an order disallowing and expunging certain claims filed in the Cases<sup>2</sup>. Unless otherwise stated in this declaration, I have personal knowledge of the facts set forth herein.

2. Except as otherwise indicated, all facts set forth in this declaration are based upon my personal knowledge, my review (or the review of counsel, consultants and other professionals under my supervision) of business records kept by the Debtors in the ordinary course of business,

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<sup>1</sup> The Reorganized 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). The Reorganized Debtors' service address is: Nu Ride Inc. c/o William Gallagher, CEO, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

the relevant proofs of claim, and/or the Claims Register maintained by Verita, the claims and noticing agent in the Cases. The grounds for the Objection are based on the review conducted.

3. I have personally reviewed the Objection and to the best of my knowledge and belief, the information contained on **Schedules 1 and 2** (the “Schedules”) to the Proposed Order attached as **Exhibit A** to the Objection is true and correct.

4. I and/or my counsel, consultants and other professionals reviewed all of the Claims identified in **Schedule 1** to **Exhibit A** to the Objection (the “Duplicate Claims”) and the supporting documentation, if any, filed therewith, and determined that each of these claims is a duplicate of a separate claim or claims filed by the same claimant for the same liability. Therefore, the Duplicate Claims should be disallowed and expunged in their entirety.

5. I and/or my counsel, consultants and other professionals reviewed all of the Claims identified on **Schedule 2** to **Exhibit A** (the “Amended and Superseded Claims”) and the supporting documentation, if any, filed therewith, and determined that each of these claims has been amended and superseded by a later filed claim, filed by the same claimant for the same liability. Therefore, the Amended and Superseded Claims should be disallowed and expunged in their entirety.

6. Based on the foregoing, and to the best of my knowledge, information and belief, the information contained in the Objection and exhibits thereto is true and correct.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: August 27, 2024

/s/ Alan D. Halperin, as Claims Ombudsman  
Alan D. Halperin

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

In re:

NU RIDE INC., *et al.*,<sup>1</sup>

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Hearing Date: September 26, 2024 at 3:00 p.m. (ET)

Objection Deadline: September 12, 2024 at 4:00 p.m. (ET)

**NOTICE OF POST-EFFECTIVE DATE DEBTORS' AND CLAIMS OMBUDSMAN'S  
JOINT THIRD (NON-SUBSTANTIVE) OMNIBUS OBJECTION TO CLAIMS**

Nu Ride Inc. and its affiliated reorganized debtors in the above-captioned proceeding (the “Post-Effective Date Debtors”) and Alan Halperin, solely in his capacity as Claims Ombudsman (the “Claims Ombudsman” and together with the Post-Effective Date Debtors, the “Movants”), by and through their respective counsel, filed the third omnibus (non-substantive) omnibus objection to claims (the “Objection”), which seeks to alter your rights by disallowing or modifying your claim for the reasons stated in the attached Objection. In the Objection, the Movants object to certain proofs of claim filed in the above-referenced case. If you disagree with the proposed treatment of your proof of claim, you must timely file a response to the Objection.

PLEASE TAKE FURTHER NOTICE that responses to the Objection must contain the following:

- (a) a concise statement setting forth the reasons why such claim should not be modified for the reasons set forth in the Objection, including (but not limited to) the specific factual and legal bases upon which the claimant will rely in opposing the Objection;

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<sup>1</sup> The Reorganized 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). The Reorganized Debtors' service address is: Nu Ride Inc. c/o William Gallagher, CEO, M 3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

- (b) all documentation or other evidence of the claim, to the extent not included with the proof of claim previously filed with the Bankruptcy Court, upon which the claimant will rely in opposing the Objection at the hearing;
- (c) the addresses to which Movants must return any reply to the Objection; and
- (d) the name, address and telephone number of the person (which may be the claimant or his/her its legal representative) possessing ultimate authority to reconcile, settle, or otherwise resolve the claim on behalf of the claimant.

PLEASE TAKE FURTHER NOTICE that if you fail to timely file and serve a response in accordance with the above requirements, you will be deemed to have concurred with, and consented to, the Objection and the relief requested therein, and Movants will present to the Court (without further notice to you), an appropriate order sustaining the Objection.

You are required to file a response to the Objection, if any, on or before **September 12, 2024, at 4:00 p.m. (ET)**.

At the same time, you must also serve a copy of the response upon:

David M. Klauder  
**BIELLI & KLAUDER, LLC**  
1204 N. King Street  
Wilmington, DE 19801  
dklauder@bk-legal.com

A HEARING ON THE OBJECTION WILL BE HELD BEFORE THE HONORABLE MARY F. WALRATH, UNITED STATES BANKRUPTCY COURT, 824 NORTH MARKET STREET, 5<sup>TH</sup> FLOOR, COURTROOM #4, WILMINGTON, DELAWARE 19801 AT **3:00 P.M. (ET) ON SEPTEMBER 26, 2024.**

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED BY THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING



Dated: August 27, 2024

**BIELLI & KLAUDER LLC**

/s/ David M. Klauder

David M. Klauder (No. 5769)  
1204 N. King Street  
Wilmington, DE 19801  
Telephone: (302) 803-4600  
E-mail: [dklauder@bk-legal.com](mailto:dklauder@bk-legal.com)

*Counsel for the Claims Ombudsman*