

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

In re:

NU RIDE INC., *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)
(Jointly Administered)

Re: Docket No. 1387, 1435

**CERTIFICATION OF COUNSEL REGARDING SUPPLEMENTAL ORDER
APPROVING POST-EFFECTIVE DATE DEBTORS' AND CLAIMS OMBUDSMAN'S
JOINT NINTH (SUBSTANTIVE) OMNIBUS OBJECTION TO CLAIMS
(No Liability)**

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 undersigned counsel, hereby certify as follows:

1. On October 25, 2024, the Movants filed the *Post-Effective Date Debtors' and Claims Ombudsman's Joint Ninth (Substantive) Omnibus Objection to Claims (No Liability)* [Docket No. 1387] (the “Objection”) with the United States Bankruptcy Court for the District of Delaware (the “Court”). The notice filed with the Objection established a deadline of November 19, 2024 at 4:00 p.m. (ET) to respond to the Objection. A hearing on the Objection was scheduled for November 26, 2024 at 11:30 a.m. (ET).

2. Movants received an informal response to the Objection from Roger Durre concerning his Claim 1411. Movants conveyed the support for the Objection to Claim 1411 to Mr. Durre by email but did not receive confirmation from Mr. Durre prior to the hearing as to

¹ 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.



whether he agreed that the Objection should be sustained. Accordingly, the hearing with respect to Claim 1411 was adjourned to the next scheduled omnibus hearing on December 23, 2024.

3. On December 2, 2024, the Court entered the *Order Granting Post-Effective Date Debtors' and Claims Ombudsman's Joint Ninth (Substantive) Omnibus Objection to Claims (No Liability Claims)* [Docket No. 1435].

4. Movants followed up again with Mr. Durre to advise that, unless Mr. Durre advised otherwise, Movants would report to the Court that no objection was raised with respect to his claim. As of the date of filing this certification of counsel, Movants have not received any further communication from Mr. Durre. Accordingly, Movants submit that Roger Durre does not oppose the Joint Ninth Omnibus Objection with respect to Claim 1411 and submit a proposed form of supplemental order to sustain the objection with respect to Claim 1411.

5. Movants further identified a typographical error in the body of the Ninth Omnibus Order in which it was indicated that Claim 1289, as opposed to Claim 1298 that was the subject of the Objection and is reflected on **Schedule 1** to the Ninth Omnibus Order, was satisfied. The Movants have included language in the proposed supplemental order to clarify that error.

6. Attached hereto as **Exhibit A** is a proposed supplemental order approving the Objection to Claim 1411 and clarifying the satisfaction of Claim 1298.

[Remainder of page intentionally left blank]

WHEREFORE, the Movants respectfully request that the proposed order attached hereto as **Exhibit A** be entered at the Court's earliest convenience.

Dated: December 20, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ David M. Klauder

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EXHIBIT A

Proposed Supplemental Order

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

In re:

NU RIDE INC., *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 23-10831 (MFW)
(Jointly Administered)

Re: Docket No. 1387, 1435

**SUPPLEMENTAL ORDER GRANTING POST-EFFECTIVE DATE DEBTORS' AND
CLAIMS OMBUDSMAN'S JOINT NINTH (SUBSTANTIVE)
OMNIBUS OBJECTION TO CLAIMS
(No Liability Claims)**

Upon the *Post-Effective Date Debtors' and Claims Ombudsman's Joint Ninth (Substantive) Omnibus Objection to Claims (No Liability Claims)* (the "Objection")², 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** 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 Ninth (Substantive) Omnibus Objection to Claims (No Liability Claims)* (the "Halperin Declaration") filed contemporaneously with the Objection and in support thereof; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157

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

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** 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 *Order Granting Post-Effective Date Debtors' and Claims Ombudsman's Joint Ninth (Substantive) Omnibus Objection to Claims (No Liability Claims)* (the "Ninth Omnibus Order") [Docket No. 1435] is hereby supplemented and amended as set forth herein.

4. Claims 1411 listed on **Schedule 1** is satisfied.

5. The Ninth Omnibus Order is hereby amended to correct a typographical error contained in paragraph 4 therein to clarify that Claim 1298, not Claim 1289, is satisfied.

6. 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.

7. 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.

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

9. Movants' rights to amend, modify, or supplement the Objection, to file additional objections to the Disputed 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 Movants' right to object on other stated grounds or any other grounds that the Movants discover during the pendency of these Chapter 11 Cases are further preserved.

10. 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.

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

12. 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.

13. This Order is immediately effective and enforceable.

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

	Name of Claimant	Claim Number	Claim Amount	Claim Type	Reason for Disallowance
1	Durre, Roger	1411	\$0.00 \$0.00 \$51,178.33 \$0.00	Administrative Priority Secured Priority General Unsecured	Debtors' books and records demonstrate that all paid time off owed to claimant was paid via payroll direct deposit on 10/25/23. Accordingly, all liability owed to claimant on account of paid time off has been satisfied.