Docket #1383 Date Filed: 09/10/2026

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
FISKER, INC., *et al.*,[1]	Case No. 24-11390 (TMH)
Debtors.	(Jointly Administered)

STIPULATION BY AND BETWEEN THE LIQUIDATING TRUSTEE AND BENDA GMBH REGARDING PROOF OF CLAIM NO. 3161

Matthew Dundon, solely in his capacity as the Liquidating Trustee (the "**Liquidating Trustee**") of the Fisker Liquidating Trust (the "**Liquidating Trust**"), and Benda GmbH ("**Benda**" and, together with the Liquidating Trustee, the "**Parties**") hereby enter into this stipulation regarding Claim No. 3161 (as defined below) (the "**Stipulation**") as follows:

WHEREAS, on June 17, 2024 (the "**Petition Date**"), Fisker Group Inc. filed a voluntary petition under chapter 11 of title 11 of the United States Code (the "**Bankruptcy Code**") with the United States Bankruptcy Court for the District of Delaware (the "**Court**"), and, on June 19, 2024, the other Debtors also filed voluntary petitions under chapter 11 of the Bankruptcy Code, thereby commencing the above-captioned chapter 11 cases (the "**Chapter 11 Cases**").

WHEREAS, on October 15, 2024, the Debtors filed their fourth amended *Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates* (the "**Plan**") [D.I. 713].[2]

[1] The Debtors in these Chapter 11 Cases, along with the last four digits of their respective employer identification numbers or Delaware file numbers, are as follows: Fisker Inc. (0340); Fisker Group Inc. (3342); Fisker TN LLC (6212); Blue Current Holding LLC (6668); Platinum IPR LLC (4839); and Terra Energy Inc. (0739). The address of the Debtors' former corporate headquarters is 14 Centerpointe Drive, La Palma, CA 90623.

[2] Any capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Plan.

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WHEREAS, on October 16, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order, Approving the Disclosure Statement on a Final Basis, Confirming the Debtors' Joint Chapter 11 Plan of Liquidation, and Granting Related Relief* (the "**Confirmation Order**") [D.I. 722].

WHEREAS, pursuant to the Confirmation Order, the appointment of the Liquidating Trustee was approved in all respects. *See* Confirmation Order ¶ 73.

WHEREAS, on October 17, 2024 (the "**Effective Date**"), the Plan went effective as set forth in the *Notice of (I) Effective Date of Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Fisker Inc. and its Debtor Affiliates and (II) Certain Claims Bar Dates* [D.I. 730].

WHEREAS, the Liquidating Trust was established on the Effective Date, into which the Debtors transferred "all of the Debtors' and Estates' rights, title, and interest in and to all of the Liquidating Trust Assets, and, in accordance with section 1141 of the Bankruptcy Code, the Liquidating Trust Assets, … automatically vest[ed] in the Liquidating Trust free and clear of all Claims, Liens, encumbrances, or interests." *See* Confirmation Order ¶ 75.

WHEREAS, the Plan provides that, after the Effective Date, the Liquidating Trustee, subject to the Liquidating Trust Agreement:

> [S]hall have the sole authority to (a) file, withdraw or litigate to judgment, objections to Claims; (b) settle or compromise any Disputed Claim without any further notice to or action, order or approval by the Bankruptcy Court (other than a Professional Fee Claim); and (c) direct the Claims and Noticing Agent to adjust the claims register to reflect any such resolutions without any further notice to or action, order, or approval by the Bankruptcy Court.

See Plan at Article X.B.

WHEREAS, on September 11, 2024, Benda filed Proof of Claim No. 3161 ("**Claim No. 3161**") against debtor Fisker Group Inc. in the total amount of $7,774,987.29 as a General Unsecured Claim.

WHEREAS, following discussions, and for good consideration, the Parties have reached an agreement resolving those questions, concerns, and/or objections, if any, raised informally by the Liquidating Trustee as part of those discussions regarding Claim No. 3161, which agreement is memorialized herein.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein, it is stipulated and agreed as follows:

1. Claim No. 3161 is hereby reduced, fixed, and allowed in the total amount of $910,163.85 and shall receive treatment as a Class 4 General Unsecured Claim against the Debtors in the Chapter 11 Cases in accordance with the Plan.

2. Other than Claim No. 3161, neither Benda nor any of its affiliates, subsidiaries and/or related entities has asserted, nor shall they be entitled to assert, any additional Claims against the Debtors in connection with the Chapter 11 Cases.

3. The Parties each declare that their respective decisions in executing this Stipulation are not predicated on or influenced by any declaration or representation of the other Party.

4. This Stipulation shall be binding upon and inure solely to the benefit of the Parties hereto and their respective successors and assigns.

5. The Court shall have jurisdiction to interpret and enforce this Stipulation, and the Parties consent to the jurisdiction of the Court with respect to the interpretation and enforcement of this Stipulation.

6. Each individual signing this Stipulation on behalf of any Party hereto acknowledges and, with respect to his or her own signature below, warrants and represents that he or she is authorized to execute this Stipulation in his or her representative capacity with binding effect, as reflected below and on behalf of the Party indicated (or individually, as applicable).

7. This Stipulation may be executed in one or more counterparts and by electronic copy, each of which will be considered effective as an original signature.

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IN WITNESS WHEREOF and in agreement herewith, by and through the undersigned, the Parties have executed and delivered this Stipulation as of the date set forth below.

Dated: September 10, 2026

/s/ Melissa M. Hartlipp **COLE SCHOTZ P.C.** Justin R. Alberto (DE Bar No. No. 5126) Melissa M. Hartlipp (DE Bar No. No. 7063) 500 Delaware Avenue, Suite 200 Wilmington, DE 19801 Telephone: (302) 652-3131 Facsimile: (302) 652-3117 Email: jalberto@coleschotz.com mhartlipp@coleschotz.com -and- **ASK LLP** Jason C. DiBattista (admitted *pro hac vice*) Brigette G. McGrath (admitted *pro hac vice*) Rebecca L. Stark (admitted *pro hac vice*) 2600 Eagan Woods Drive, Suite 400 St. Paul, Minnesota 55121 Telephone: (651) 406-9665 Facsimile: (651) 406-9676 Email: jdibattista@askllp.com bmcgrath@askllp.com rstark@askllp.com -and- Marianna Udem (admitted *pro hac vice*) 60 East 42nd Street, 46th Floor New York, New York 10165 Telephone: (212) 267-7342 Facsimile: (212) 918-3427 E-mail: mudem@askllp.com *Co-Counsel to the Liquidating Trustee*	*/s/ Dr. Arno Maschke* **ECOLAW** Dr. Arno Maschke Rotenturmstraße 5-9/ 7. OG 1010 Wien Telephone: (+43) 1 535 46 110 Email: office@ecolaw.at *Counsel to Benda GmbH*