

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

In re:

Nikola Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-10258 (TMH)

(Jointly Administered)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON APRIL 11, 2025 AT 3:00 P.M. (ET)³**

This proceeding will be conducted in-person in Courtroom No. 5 on the 5th Floor. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom.

Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (ET) the business day before the hearing unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

RESOLVED MATTERS:

1. Debtors' Motion for Entry of an Order (I) Approving De Minimis Asset Sale Procedures and Related De Minimis Sale Transactions; and (II) Granting Related Relief [[Docket No. 157](#) - filed March 14, 2025]

Response/Objection Deadline: March 28, 2025 at 4:00 p.m. (ET). Extended for certain plaintiffs in a Delaware Chancery Court action (the "Plaintiffs") to April 1, 2025.

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Nikola Corporation (registered to do business in California as Nikola Truck Manufacturing Corporation) (1153); Nikola Properties, LLC (3648); Nikola Subsidiary Corporation (1876); Nikola Motor Company LLC (0139); Nikola Energy Company LLC (0706); Nikola Powersports LLC (6771); Free Form Factory Inc. (2510); Nikola H2 2081 W Placentia Lane LLC (N/A); 4141 E Broadway Road LLC (N/A); and Nikola Desert Logistics LLC (N/A). The Debtors' headquarters are located at 4141 East Broadway Road, Phoenix, AZ 85040.

² Amended items appear in bold.

³ Please note, the hearing originally scheduled for April 10, 2025 at 10:00 a.m. (ET) has been rescheduled to April 11, 2025 at 3:00 p.m. (ET).

Responses/Objections Received:

- i. Informal response from Mitsubishi HC Capital America, Inc., successor by merger to Engs Commercial Finance Co. (“MHCA”).
- ii. Informal response from the Plaintiffs.
- iii. Informal response from the Official Committee of Unsecured Creditors (the “Committee”).

Related Documents:

- A. Certification of Counsel regarding Debtors’ Motion for Entry of an Order (I) Approving De Minimis Asset Sale Procedures and Related De Minimis Sale Transactions; and (II) Granting Related Relief [[Docket No. 340](#) - filed March 4, 2025]
- B. Order (I) Approving De Minimis Asset Sale Procedures and Related De Minimis Sale Transactions; and (II) Granting Related Relief [[Docket No. 343](#) - entered April 7, 2025]

Status: The order has been entered. No hearing is necessary.

- 2. Joint Motion of the Debtors and Wabash Valley Resources Holdings LLC for an Order Pursuant to 11 U.S.C. § 107(b) and Federal Rules of Bankruptcy Procedure 2015.3(e) and 9018 Authorizing the Debtors to File Under Seal Financial Reports Required Under Federal Rule of Bankruptcy Procedure 2015.3(a) [[Docket No. 225](#) – filed March 20, 2025]

Response/Objection Deadline: April 3, 2025 at 4:00 p.m. (ET).

Responses/Objections Received: None.

Related Documents:

- A. [SEALED] Periodic Report Regarding Value, Operations and Profitability of Entities in Which the Debtors' Estates Hold a Substantial or Controlling Interest for the Period Ending December 31, 2024 [Docket No. 186 – filed March 17, 2025]
- B. [Redacted] Periodic Report Regarding Value, Operations and Profitability of Entities in Which the Debtors' Estates Hold a Substantial or Controlling Interest for the Period Ending December 31, 2024 [[Docket No. 224](#) – filed March 20, 2025]

- C. Certificate of No Objection Regarding Joint Motion of the Debtors and Wabash Valley Resources Holdings LLC for an Order Pursuant to 11 U.S.C. § 107(b) and Federal Rules of Bankruptcy Procedure 2015.3(e) and 9018 Authorizing the Debtors to File Under Seal Financial Reports Required Under Federal Rule of Bankruptcy Procedure 2015.3(a) [[Docket No. 339](#) - filed April 4, 2025]
- D. Order Pursuant to 11 U.S.C. § 107(b) and Federal Rules of Bankruptcy Procedure 2015.3(e) and 9018 Authorizing the Debtors to File Under Seal Financial Reports Required Under Federal Rule of Bankruptcy Procedure 2015.3(a) [[Docket No. 346](#) - entered April 7, 2025]

Status: The order has been entered. No hearing is necessary.

MATTERS GOING FORWARD:

- 3. Debtors' Motion for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Designate One or More Stalking Horse Bidders and to Provide Bid Protections, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [[Docket No. 15](#) – filed February 19, 2025]

Sale Objection/Response Deadline: April 4, 2025 at 4:00 p.m. (ET).

Supplemental Sale Objection/Response Deadline: April 8, 2025 at 4:00 p.m. (ET).

Sale Objections/Responses Received:

- i. Informal response from Arizona Commerce Authority.

Status: **The Debtors are working to resolve the informal response with the inclusion of certain language in the proposed sale order.**

- ii. Informal response from Maricopa County Treasurer.

Status: **Maricopa County Treasurer filed a formal objection on April 8, 2025. See item ix below.**

- iii. Informal response from Clarinox Technologies Pty Ltd.

Status: **The Debtors are reaching out to Clarinox Technologies Pty Ltd. to resolve informal response.**

- iv. Informal response from the United States of America, on behalf of the United States Department of Transportation (the “United States”).

Status: The United States filed a formal objection on April 8, 2025. See item x below.

- v. Objection of Mitsubishi HC Capital America, Inc. to Debtors’ Motion for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors’ Assets, (B) Authorizing the Debtors to Designate One or More Stalking Horse Bidders and to Provide Bid Protections, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors’ Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [[Docket No. 312](#) – filed April 4, 2025]

Status: The Debtors intend to resolve this matter or adjourn this matter to a hearing prior to the closing of any related sale.

- vi. MGFH2, LLC’s Limited Objection to the Debtors’ Sale Motion and Assumption and Assignment [[Docket No. 324](#) – filed April 4, 2025]

Status: The Debtors do not intend to directly or indirectly sell any of MGFH2, LLC’s equipment at the time of this hearing. This matter is adjourned to a later date.

- vii. Global Water Utilities’ Objection to Sale Motion and Proposed Assumption and Assignment of Master Utility Agreement [[Docket No. 327](#) – filed April 4, 2025]

Status: The parties are working to resolve the informal response with the inclusion of certain language in the proposed sale order.

- viii. Plug Power Inc.’s Limited Objection and Reservation of Rights with Respect to (I) Debtors’ Sale Motion and (II) Debtors’ Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially All Assets [[Docket No. 338](#) – filed April 4, 2025]

Status: The Debtors do not intend to directly or indirectly sell any of Plug Power Inc.’s equipment at the time of this hearing. This matter and the related cure objection are adjourned to a later date.

- ix. **Maricopa County Treasurer's Limited Objection and Reservation of Rights re: Motion for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Designate One or More Stalking Horse Bidders and to Provide Bid Protections, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Related Relief** [[Docket No. 355](#) – filed April 8, 2025]

Status: The Debtors' are working to resolve the objection.

- x. **Limited Objection to Debtors' Motion to Approve Sale of the Debtors' Assets Free and Clear** [[Docket No. 358](#) – filed April 8, 2025]

Status: The Debtors' are working to resolve the objection with the inclusion of certain language in the proposed sale order.

Cure Objection Deadline: April 4, 2025 at 4:00 p.m. (ET). Extended for Muelles Y Ballestas Hispano Alemanas, S.L., Salt River Project Agricultural Improvement, P.C.M.S.r.l., Voltmec S.r.l. and Arizona Public Service to April 7, 2025 at 5:00 p.m. (ET), ZF North America, Inc. and American Air Liquide Holdings, Inc. to April 8, 2025 at 11:00 a.m. (ET) and STORE Master Funding XXXII, LLC to April 9, 2025 at 5:00 p.m. (ET).

Cure Objections/Responses Received:

- i. Informal responses listed on **Exhibit A**, attached hereto.

Status: See **Exhibit A**, attached hereto.

- ii. Formal cure objections/responses listed on **Exhibit B**, attached hereto.

Status: See **Exhibit B**, attached hereto.

Related Documents:

- A. Declaration of Drew M. Talarico in Support of the Debtors' Motion for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Designate One or More Stalking Horse Bidders and to Provide Bid Protections, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof, and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (B) Approving the Assumption And Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [[Docket No. 16](#) – filed February 19, 2025]
- B. Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Designate One or More Stalking Horse Bidders, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof, and (F) Granting Related Relief [[Docket No. 133](#) – entered March 7, 2025]
- C. Notice of Sale, Bidding Procedures, Auction, Sale Hearing and Other Deadlines Related Thereto [[Docket No. 135](#) – filed March 7, 2025]
- D. Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Sale of Substantially All Assets [[Docket No. 138](#) – filed March 11, 2025]
- E. Verification of Publication Regarding the Notice of Sale, Bidding Procedures, Auction, Sale Hearing and Other Deadlines Related Thereto [[Docket No. 146](#) – filed March 13, 2025]
- F. Notice of Filing of Proposed Form of Sale Order [[Docket No. 181](#) – filed March 17, 2025]
- G. Notice of Change of Location for Auction of the Debtors' Assets and Ability to Participate Virtually [[Docket No. 342](#) - filed April 4, 2025]
- H. Witness and Exhibit List of Mitsubishi HC Capital America, Inc. Relating to Matters Scheduled for Hearing on April 10, 2025 at 10:00 a.m. (ET) [[Docket No. 349](#) – filed April 7, 2025]

Witness Information: The Debtors intend to offer one or more witness in support of the sale prior to the hearing.

General Status: The hearing on this matter will go forward. The auction **continues to be** on-going. **The Debtors intend to move forward with the sale of (i) Nikola Corporation's 20% equity interest in non-debtor affiliate Wabash Valley Resource Holdings LLC's ("Wabash") and the (ii) Convertible Promissory Note, dated March 14, 2025, by and between Wabash and Nikola Corporation. The Debtors intend to designate a Successful Bidder of a significant portion the Debtors' assets, and the Debtors will seek approval of this sale at the hearing. The Debtors are adjourning all unresolved cure objections.** Prior to the hearing, the Debtors plan to file a notice of auction results, supporting declarations, a proposed sale order, and one or more replies in further support of the proposed sales and in response to any unresolved objections.

4. Debtors' Omnibus Motion for Entry of an Order Authorizing the Debtors to (I) Reject Certain Unexpired Leases of Nonresidential Real Property and Executory Contracts; (II) Abandon Any Remaining Personal Property Located at the Leased Premises; and (III) Granting Certain Related Relief [[Docket No. 244](#) – filed March 25, 2025]

Response/Objection Deadline: April 3, 2025 at 4:00 p.m. (ET). Extended for Gas Transport Leasing, LLC ("[GTL](#)") to April 4, 2025. Extended for the United States Environmental Protection Agency (the "[EPA](#)") to April 7, 2025 at 4:00 p.m. (ET).

Responses/Objections Received:

- i. Informal response from the EPA.
- ii. Informal response from GTL.

Related Documents: None.

Status: The Debtors are working to resolve the informal comments and intend to file a proposed order under certification of counsel prior to the hearing.

5. Motion of Trevor Milton to Enforce Protective Order and Quash Rule 2004 Examination and Subpoena Duces Tecum Propounded by Debtors [[Docket No. 289](#) – filed April 3, 2025]

Response/Objection Deadline: At the hearing.

Responses/Objections Received: None.

Related Documents:

- A. Order Granting Motion for Shortened Notice and Expedited Consideration of Motion of Trevor Milton to Enforce Protective Order and Quash Rule 2004 Examination and Subpoena Duces Tecum Propounded by Debtors [[Docket No. 295](#) – entered April 3, 2025]
- B. Notice of Hearing Regarding Motion of Trevor Milton to Enforce Protective Order and Quash Rule 2004 Examination and Subpoena Duces Tecum Propounded by Debtors [[Docket No. 296](#) – filed April 4, 2025]

Status: This matter is going forward.

Dated: April 9, 2025
Wilmington, Delaware

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Counsel to the Debtors and Debtors in Possession

EXHIBIT A

INFORMAL CURE RESPONSES RECEIVED¹	
Responding Party	Status
Hexagon Purus GmbH	Adjourned
Taylor – Wharton America Inc. and Air Water America	Adjourned
Lighthouse Document Technologies Inc.	Adjourned
ContiTech North America, Inc.	Adjourned
Alliance for Sustainable Energy, LLC	Adjourned
STORE Master Funding XXXII, LLC	The parties are working to resolve this objection with the inclusion of certain language in the proposed sale order for the Successful Bidder of a significant portion the Debtors' assets.
Transportation Research Center, Inc.	Adjourned
NORMA MI, Inc.	Adjourned
The Fiedler Group	Adjourned
Siemens Industry, Inc.	Adjourned
ZF North America, Inc.	Adjourned
P.C.M.S.r.l.	Adjourned
Voltmec S.r.l.	Adjourned
Maricopa County Treasurer	Adjourned
Salt River Project Agricultural Improvement	Adjourned

¹ This chart is intended to assist the Court and parties in interest. Nothing herein is intended to, or shall, prejudice the rights of any party to the extent that such party has timely filed a response, which is later determined to have been inadvertently omitted herein.

Area 4141 Investor, LLC, Area 4141 Sponsor, LLC and Area Manager, LLC	The parties are working to resolve this objection with the inclusion of certain language in the proposed sale order for the Successful Bidder of a significant portion the Debtors' assets.
Arizona Public Service Company	Resolved
Transcenda Consulting Inc.	Adjourned

EXHIBIT B

FORMAL CURE OBJECTIONS/RESPONSES RECEIVED¹			
Index No.	Docket No. / Filed Date	Objecting/Responding Party	Status
1.	Docket No. 198 – filed March 19, 2025	Proterra Powered LLC	Adjourned
2.	Docket No. 276 – filed April 2, 2025	Robert Bosch LLC	Adjourned
3.	Docket No. 278 – filed April 2, 2025	Aztek Technologies S.A. DE C.V.	Adjourned
4.	Docket No. 280 – filed April 2, 2025	Performance Court QOZB, LLC	Adjourned
5.	Docket No. 282 – filed April 2, 2025	Integrated Cryogenic Solutions, LLC	Adjourned
6.	Docket No. 284 – filed April 3, 2025	Altair Engineering, Inc.	Adjourned
7.	Docket No. 288 – filed April 3, 2025	Allison Transmission, Inc.	Adjourned
8.	Docket No. 306 – filed April 4, 2025	Mann + Hummel USA, Inc.	Adjourned
9.	Docket No. 309 – filed April 4, 2025	Dassault Systemes Americas Corp.	Adjourned
10.	Docket No. 313 – filed April 4, 2025	Carter Machinery Company, Inc.	Adjourned
11.	Docket No. 316 – filed April 4, 2025	Progresswerk Oberkirch AG	Adjourned
12.	Docket No. 318 – filed April 4, 2025	Core Molding Technologies	Adjourned
13.	Docket No. 319 – filed April 4, 2025	Servicio De Ingenieria Industrial y Outsourcing SA DE CV	Adjourned
14.	Docket No. 320 – filed April 4, 2025	Cleveland Brothers Equipment Company, Inc.	Adjourned
15.	Docket No. 321 – filed April 4, 2025	NEL ASA	Adjourned
16.	Docket No. 323 – filed April 4, 2025	Iveco S.p.A. and Its Affiliates	Adjourned

¹ This chart is intended to assist the Court and parties in interest. Nothing herein is intended to, or shall, prejudice the rights of any party to the extent that such party has timely filed a response, which is later determined to have been inadvertently omitted herein.

17.	Docket No. 324 – filed April 4, 2025	MGFH2, LLC	Adjourned
18.	Docket No. 328 – filed April 4, 2025	Tom’s Truck Center, Inc.	Adjourned
19.	Docket No. 330 – filed April 4, 2025	Global Water Utilities	The parties are working to resolve this objection with the inclusion of certain language in the proposed sale order for the Successful Bidder of a significant portion the Debtors’ assets.
20.	Docket No. 333 – filed April 4, 2025	Tetra Tech, Inc.	Adjourned
21.	Docket No. 334 – filed April 4, 2025	KL Coatings, Inc.	Adjourned
22.	Docket No. 338 – filed April 4, 2025	Plug Power Inc.	Adjourned
23.	Docket No. 345 – filed April 7, 2025	Muelles Y Ballestas Hispano Alemanas, S.L.	Adjourned
24.	Docket No. 351 – filed April 8, 2025	American Air Liquide Holdings, Inc. and Air Liquide Energy U.S. LLC	Adjourned