

**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)

**SECOND AMENDED² NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON SEPTEMBER 5, 2025 AT 10:00 A.M. (ET)**

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.

CONFIRMATION:

1. Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtors Affiliates [[Docket No. 955](#) – filed September 2, 2025]

Response/Objection Deadline: August 20, 2025 at 4:00 p.m. (ET). Extended for the U.S. Securities and Exchange Commission (the “SEC”) and Mitsubishi HC Capital America, Inc. (“Mitsubishi”) to August 26, 2025.

Responses/Objections Received:

- i. Informal response from Texas Comptroller of Public Accounts.

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’ mailing address is PO Box 27028, Tempe, AZ 85285.

² **Amended items appear in bold.**

- ii. Informal response from the U.S. Department of Justice.
- iii. Informal response from Christian Little.
- iv. Informal response from Marcelo Zabka.
- v. Informal response from BAASANTSOGT Dashzeveg (BAA-suhn-tsokt DASH-zuh-veg)
- vi. Informal response from Chris K. Soon.
- vii. Informal response from Chen Goldner.
- viii. Informal response from Edi Stern.
- ix. Informal response from ElHosseiny ElSherif.
- x. Informal response from Provites Gear Systems Inc.
- xi. Objection of Lisa Scudder Class 5 Equity Interest Holder to Approval of the Combined Disclosure Statement and Chapter 11 Plan of Liquidation [[Docket No. 904](#) – filed August 19, 2025]
- xii. United States Trustee’s Objection to Confirmation of Debtors’ First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation [[Docket No. 908](#) – filed August 20, 2025]
- xiii. Limited Objection and Reservation of Rights of Lead Class Plaintiffs to the First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 909](#) – filed August 20, 2025]
- xiv. [Withdrawn] Trevor Milton’s Objection to the Debtors’ Chapter 11 Plan of Liquidation [[Docket No. 910](#) – filed August 20, 2025]
- xv. Trevor Milton’s Objection to Debtors’ (I) Memorandum of Law in Support of the Debtors’ Chapter 11 Liquidating Plan Regarding Proper Classification of the Milton Claim Pursuant to Section 510(c) of the Bankruptcy Code and (II) Objection to the Milton Claim [[Docket No. 911](#) – filed August 20, 2025]
- xvi. Objection of Lukasz W. Niparko Class 5 Equity Interest Holder to Final Approval of Disclosure Statement and Confirmation of Plan [[Docket No. 922](#) – filed August 22, 2025]

- xvii. Objection by the U.S. Securities and Exchange Commission to First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 935](#) – filed August 26, 2025]
- xviii. Objection of Mitsubishi HC Capital America, Inc. and Mitsubishi HC Capital Canada, Inc. to First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 937](#) – filed August 26, 2025]

Related Documents:

- A. Amended and Superseding Order (I) Granting Interim Approval of the Adequacy of Disclosures in the Combined Plan and Disclosure Statement; (II) Scheduling a Combined Confirmation Hearing and Setting Deadlines Related Thereto; (III) Approving Solicitation Packages and Procedures; (IV) Approving the Forms of Ballots and Notices; and (V) Granting Related Relief [[Docket No. 780](#) – entered July 23, 2025]
- B. Notice of (I) Interim Approval of the Disclosure Statement; and (II) Hearing to Consider (A) Final Approval of the Disclosure Statement as Containing Adequate Information and (B) Confirmation of the Plan [[Docket No. 781](#) – filed July 23, 2025]
- C. Memorandum of Law in Support of the Debtors' Chapter 11 Liquidating Plan Regarding Proper Classification of the SEC Claim Pursuant to Section 510(b) of the Bankruptcy Code [[Docket No. 796](#) – filed July 25, 2025]
- D. Memorandum of Law in Support of the Debtors' Chapter 11 Liquidating Plan Regarding Proper Classification of the Reyes Action Claim Pursuant to Section 510(b) of the Bankruptcy Code [[Docket No. 804](#) – filed July 28, 2025]
- E. [SEALED] Debtors' (I) Memorandum of Law in Support of the Debtors' Chapter 11 Liquidating Plan Regarding Proper Classification of the Milton Claim Pursuant to Section 510(c) of the Bankruptcy Code and (II) Objection to the Milton Claim [[Docket No. 808](#) – filed July 29, 2025]
- F. Memorandum of Law in Support of the Debtors' Chapter 11 Liquidating Plan Regarding Proper Classification of the Shareholder Securities Litigation Claim Pursuant to Section 510(b) of the Bankruptcy Code [[Docket No. 820](#) – filed August 1, 2025]
- G. [Redacted] Debtors' (I) Memorandum of Law in Support of the Debtors' Chapter 11 Liquidating Plan Regarding Proper Classification of the Milton Claim Pursuant to Section 510(c) of the Bankruptcy Code and (II) Objection to the Milton Claim [[Docket No. 824](#) – filed August 4, 2025]

- H. Notice of Filing of Plan Supplement for the First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 876](#) – filed August 13, 2025]
- I. Declaration of Emily Young, on Behalf of Epiq Corporate Restructuring, LLC, Regarding Solicitation and Tabulation of Ballots Cast on First Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 952](#) – filed August 29, 2025]
- J. Notice of Filing of Blackline of Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 956](#) – filed September 2, 2025]
- K. Declaration of Britton M. Worthen in Support of Confirmation of the Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 957](#) – filed September 2, 2025]
- L. Declaration of Ryan P. Rowan in Support of Confirmation of Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 958](#) – filed September 2, 2025]
- M. Memorandum of Law in Support of Order Granting Final Approval of the Disclosure Statement and Confirming Debtors’ Second Amended Chapter 11 Plan of Liquidation [[Docket No. 959](#) – filed September 2, 2025]
- N. Trevor Milton’s Witness List for Hearing Set for September 5, 2025 at 10:00 a.m. (Prevailing Eastern Time) [[Docket No. 961](#) – filed September 2, 2025]
- O. Notice of Filing of Second Plan Supplement for the Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates [[Docket No. 962](#) – filed September 2, 2025]
- P. Debtors’ Witness and Exhibit List for Hearing on September 5, 2025 at 10:00 a.m. (ET) [[Docket No. 963](#) – filed September 2, 2025]
- Q. Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Approving the Disclosure Statement on a Final Basis, Confirming the Second Amended Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates, and Granting Related Relief [[Docket No. 964](#) – filed September 2, 2025]
- R. Statement of the Official Committee of Unsecured Creditors in Support of Confirmation of the Debtors’ Second Amended Combined Disclosure Statement and Chapter 11 Plan [[Docket No. 965](#) – filed September 2, 2025]

- S. Official Committee of Unsecured Creditors' Witness and Exhibit List for Hearing on September 5, 2025 at 10:00 a.m. (ET) [[Docket No. 966](#) – filed September 2, 2025]
- T. Order Granting Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Memorandum of Law in Support of Order Granting Final Approval of the Disclosure Statement and Confirming Debtors' Second Amended Chapter 11 Plan of Liquidation [[Docket No. 967](#) – entered September 3, 2025]
- U. Notice of Filing of Third Plan Supplement for the Second Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtors Affiliates [[Docket No. 971](#) – filed September 3, 2025]
- V. Debtors' Amended Witness and Exhibit List for Hearing on September 5, 2025 at 10:00 a.m. (ET) [[Docket No. 988](#) – filed September 4, 2025]
- W. Notice of Withdrawal of Trevor Milton's Objection to the Debtors' Chapter 11 Plan of Liquidation [[Docket No. 989](#) – filed September 4, 2025]
- X. Debtors' Second Amended Witness and Exhibit List for Hearing on September 5, 2025 at 10:00 a.m. (ET) [[Docket No. 997](#) – filed September 4, 2025]**
- Y. Notice of Filing of Revised Proposed Findings of Fact, Conclusions of Law, and Order Approving the Disclosure Statement on a Final Basis, Confirming the Second Amended Chapter 11 Plan of Liquidation of Nikola Corporation and Its Debtor Affiliates, and Granting Related Relief [[Docket No. 999](#) – filed September 5, 2025]**

Debtors' Witness Information: The Debtors intend to offer testimony from Britton Worthen, Ryan Rowan and Emily Young.

Committee's Witness Information: The Committee designates Britton Worthen, Ryan Rowan and Emily Young as potential witnesses, to the extent necessary.

Trevor Milton's Witness Information: Trevor Milton will offer testimony on his behalf.

Status: This matter is going forward on a contested basis with regards to the objections filed by the United States Trustee, Lead Class Plaintiffs, Trevor Milton (solely with respect to Docket No. 911), and equity holders listed above at items iii through ix, xi and xvi. With respect to the informal objection of the Texas Comptroller and U.S. Department of Justice (items i and ii above), this matter has been resolved with the inclusion of language in the proposed Confirmation Order. With respect to the formal objection of the SEC (item xvii above) and the formal objection of Mitsubishi (item xviii above), the parties have resolved this objection and the proposed settlement is set forth in the Second Amended Plan and proposed confirmation order.

Dated: September 5, 2025
Wilmington, Delaware

Joshua D. Morse, Esq.
Jonathan R. Doolittle, Esq.
**PILLSBURY WINTHROP SHAW
PITTMAN LLP**
Four Embarcadero Center, 22nd Floor
San Francisco, California 94111-5998
Telephone: (415) 983-1000
Facsimile: (415) 983-1200
Email: joshua.morse@pillsburylaw.com
jonathan.doolittle@pillsburylaw.com

-and-

Andrew V. Alfano, Esq.
Chazz C. Coleman, Esq.
**PILLSBURY WINTHROP SHAW
PITTMAN LLP**
31 West 52nd Street
New York, New York 10019
Telephone: (212) 858-1000
Facsimile: (212) 858-1500
Email: andrew.alfano@pillsburylaw.com
chazz.coleman@pillsburylaw.com

Respectfully submitted,

/s/ Maria Kotsiras

M. Blake Cleary (No. 3614)
Brett M. Haywood (No. 6166)
Maria Kotsiras (No. 6840)
Shannon A. Forshay (No. 7293)
Sarah R. Gladieux (No. 7404)
POTTER ANDERSON & CORROON LLP
1313 N. Market Street, 6th Floor
Wilmington, Delaware 19801
Telephone: (302) 984-6000
Facsimile: (302) 658-1192
Email: bcleary@potteranderson.com
bhaywood@potteranderson.com
mkotsiras@potteranderson.com
sforshay@potteranderson.com
sgladieux@potteranderson.com

Counsel to the Debtors and Debtors in Possession