Case 23-10831-MFW Doc 7/8 Filed 11/28/23 Page 1 of 7 Docket #0748 Date Filed: 11/28/2023

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re

Lordstown Motors Corp., et al.,¹

Chapter 11

Case No. 23-10831 (MFW)

Debtors.

(Jointly Administered)

AFFIDAVIT OF PUBLICATION OF NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT, (II) ESTABLISHMENT OF VOTING RECORD DATE, (III) HEARING ON CONFIRMATION OF THE PLAN, (IV) PROCEDURES FOR OBJECTING TO THE CONFIRMATION OF THE PLAN, AND (V) PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN IN THE WALL STREET JOURNAL AND AUTOMOTIVE NEWS

This Affidavit of Publication includes the sworn statements verifying that the Notice of (I) Approval of Disclosure Statement, (II) Establishment of Voting Record Date, (III) Hearing on Confirmation of the Plan, (IV) Procedures for Objecting to the Confirmation of the Plan, and (V) Procedures and Deadline for Voting on the Plan was published and incorporated by reference herein as follows:

- 1. In The Wall Street Journal on November 7, 2023, attached hereto as Exhibit A; and
- 2. In Automotive News on November 13, 2023, attached hereto as Exhibit B.

¹ The 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 Debtors' service address is 27000 Hills Tech Dr., Farmington Hills, MI 48331.



Exhibit A

AFFIDAVIT

STATE OF NEW JERSEY

))ss:

CITY OF MONMOUTH JUNCTION, in the COUNTY OF MIDDLESEX)

I, Wayne Sidor, being duly sworn, depose and say that I am the Advertising Clerk of the Publisher of THE WALL STREET JOURNAL, a daily national newspaper of general circulation throughout the United States, and that the notice attached to this Affidavit has been regularly published in THE WALL STREET JOURNAL for National distribution for

1 insertion(s) on the following date(s): 11/7/2023

ADVERTISER: Lordstown Motors Corp.

and that the foregoing statements are true and correct to the best of my knowledge.

<u>Wayne Sidor</u>

Sworn to before me this 7th day of November 2023

Notary Public



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BANKRUPTCIES

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE Chapter 11 Case No. 23-10831 (MFW) (Jointly Administered) In re: Lordstown Motors Corp., *et al*.,¹ Debtors.

NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT, (II) ESTABLISHMENT OF VOTING RECORD DATE, (III) HEARING ON CONFIRMATION OF THE PLAN, (IV) PROCEDURES FOR OBJECTING TO THE CONFIRMATION OF THE PLAN, AND (V) PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN TO ALL PARTIES IN INTEREST IN THE DEBTORS' CHAPTER 11 CASES: DIEGES TAKE MOTIES THAT ON OCHOR 20 0023 Londenne Meters (on and its offici

TO ALL PARTIES IN INTEREST IN THE DEBTORS' CHAPTER 11 CASES: PLEASE TAKE NOTICE THAT on October 30, 2023, Lordstown Motors Corp. and its affiliated debtors and debtors in possession in the above-captioned chapter 11 cases (together, the "Debtors") filed their (1) Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [DL.632] (together with all Schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Plan"); and (ii) the Disclosure Statement Pursuant to 11 U.S.C.§ 1125 with Respect to Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [DL.637] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Disclosure Statement"). Disclosure Stateme

Discosure Statement (,): PLEASE TAKE FURTHER NOTICE THAT: 1. Approval of Disclosure Statement. On November 1, 2023, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order [DL.651] (the "Disclosure Statement Order") approving the Disclosure Statement. The Disclosure Statement Order, among other things, authorizes the Debtors to solicit votes to accept or reject the Plan and establishes procedures related thereto (the "Solicitation Procedures"). 2. Approved Dates and Deadlines. The following dates and deadlines in connection with

Approved Dates and Deadlines. The following dates and deadlines in connection with the Solicitation Procedures and Confirmation Hearing in the Disclosure Statement Order:		
Event	Date	
Voting Record Date	October 31, 2023	
Solicitation Date	Five (5) business days after the entry of the Disclosure Statement Order, or as soon as reasonably practicable thereafter	
Publication Deadline	Five (5) business days after the entry of the Disclosure Statement Order, or as soon as reasonably practicable thereafter	
Rule 3018(a) Motion Deadline	November 27, 2023 at 4:00 p.m.(ET)	
Voting Resolution Event Deadline	December 5, 2023	
Plan Supplement Deadline	December 1, 2023 (The date that is no later than seven (7) days prior to the Plan Objection Deadline)	
Deadline to file proposed form of the Confirmation Order	The date that is no later than seven (7) days prior to the Plan Objection Deadline	
Plan Objection Deadline	December 8, 2023 at 4:00 p.m. (ET)	
VotingDeadline	December 12, 2023 at 5:00 p.m.(ET)	
Deadline to file (i) Reply to Plan Objections, (ii) Brief in Support of Plan Confirmation; (iii) Declarations in Support of Plan Confirmation, and (ii) Voting Report	December 15, 2023	
Confirmation Hearing	December 19, 2023 at 2:00 p.m.(ET)	

3. Confirmation Hearing. A hearing to consider confirmation of the Plan has bee cheduled for <u>December 19, 2023 at 2:00 p.m. (prevailing Eastern Time)</u> (the Confirmation Hearing") before the Honorable Mary F. Walrath, United States Bankruptcy udge, at the Bankruptcy Court, located at 824 North Market Street, Fifth Floor, Courtroom No. 4 Vilmington, Delaware 19801. Please be advised that the Confirmation Hearing may be Willington, Delaware 1930. Frease be advised that the Commation Hearing may be adjourned or continued from time to time by the Bankrupty Court or the Debtors without further notice other than as indicated in any notice or agenda of matters scheduled for a particular hearing that is filed with the Bankruptcy Court or by being announced in open court. If the Confirmation Hearing is continued, the Debtors will post the new date and time of the Confirmation Hearing that https://www.kcli.net/lordstown. The Plan mush beneficient if agreecom which the during are a verifit of the Confirmation Hearing is been to the public of the pub may be modified, if necessary, prior to, during, or as a result of the Confirmation Hearing, without further notice to creditors or other parties in interest, unless such notice is required by the BankruptcyCode,Bankruptcy Rules,or other applicable law.

Bankupty Code, Bankupty Nules or onler applicatieraw. 4. Summary of Status and Voting Rights. In accordance with Bankruptcy Code Section 1122 and 1123, the Plan contemplates classifying Holders of Claims and Interests into various Classes for all purposes, including with respect to voting on the Plan, as follows:

Summary of Status and Voting Rights						
Class	Claim/Interest	Status	Voting Rights			
1	Other Priority Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)			
2	Secured Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)			
3	General Unsecured Claims	Impaired	Entitled to Vote			
4	Intercompany Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)			
5	Foxconn Preferred Stock Interests	Unimpaired	Deemed to Accept (Provided that Provisional Votes Will Be Solicited)			
6	Intercompany Interests	Unimpaired	Deemed to Accept			
7	Common Stock Interests	Impaired	Entitled to Vote			
8	Section 510(b) Claims	Impaired	Entitled to Vote			
9	RIDE Section 510(b) Claims	Impaired	Entitled to Vote			
10	Ohio Securities Class Action Claims	Unimpaired	Deemed to Accept			
5.	Voting Record Date. Subject	t to the Solic	itation Procedures, the following holders o			

Claims and Interests aga entitled to vote on the Pla inst the Debtors as of October 31, 2023 (the "Voting Record Date") ar

Class	Description
Class 3	General Unsecured Claims
Class 5	Foxconn Preferred Stock Interests
Class 7	Common Stock Interests
Class 8	Section 510(b) Claims
Class 9	RIDE Section 510(b) Claims
Class 10	Ohio Securities Class Action Claims (For Class 10 Election)

6. Voting Deadline. All votes to accept or reject the Plan must be actually received b the Solicitation Agent by <u>December 12, 2023 at 5:00 p.m. (prevailing Eastern Time)</u> (the "Voting Deadline"). Any failure to follow the voting instructions included with your Ballot may

disqualifyyourvote.
7. Voting Procedures for Class 7 Common Stock Interests. By the Solicitation Date. A common stock interest in Class 7 as of the Voting Record Date whether directly or through a common Stock interest in Class 7 as of the Voting Record Date whether directly or through a common Stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest in Class 7 as of the Voting Record Date whether directly or through a stock interest int Nominee (as defined below), and (ii) an appropriate number of Solicitation Packages and a master ballot (a "**Master Ballot**") to each bank, broker, or other intermediary (each a "**Nominee**")

identified to the Solicitation Agent as a Holder of record through which one or more such Beneficial Identified to the Solicitation Agenta's a holder of record through which one or more such Beneficial Holders holds such Claim in Street name' as of the Voting Record Date. The Solicitation Agent shall also distribute a Solicitation Package to each Entity that is directly registered as a Beneficial Holder (i.e. does not hold their Claim through a Nominee) as of the Voting Record Date. All Beneficial Holder Ballots cast to accept or reject the Plan must be properly completed, executed, and returned to the Nominees in such manner to allow sufficient time for the Voting Nominee to process such votes on Master Ballots and mail or deliver such Master Ballots to the Solicitation Agents to that they are actual threading.

The universe in solution hanner to any sancteria true to the votanty solutine to process such votes on Master Balots and mail or deliver such Master Balots to the Solicitation Agents of that they are <u>actually received</u> by the Solicitation Agent by the Voting Deadline. 8. Parties in Interest Not Entitled to Vote. All Holders of Unclassified Claims and Holders of Unimpaired Claims and Interests in classes conclusively presumed to accept the Plan are not entitled to vote and will not receive a Ballot. Such Holders will instead receive the (i) Confirmation Hearing Notice, and (ii) Notice of Non-Voting Status to Holders of Unclassified and Unimpaired Claims Conclusively Presumed to Accept the Plan. If you clasagree with the amount set forth by the Debtors for your Claim in the Schedules or if you have filed a Proof of Claim and disagree with either (i) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan; or (ii) the Debtors' classification or request for estimation of your Claim and believe that you should be entitled to vote on the Plan in a different amount or class, you must file with the Bankruptcy Court a motion for an order, pursuant to Bankruptcy Rule 3018(a), temporarily allowing such claim for purposes of voting to accept or reject the Plan [ar Rule 3018(a)] Motion". All Rule 3018(a) Motions must be fied with the Bankruptcy Court and served on the Debtors on or before **November 27. 2023 at 4:200 a.m., (prevailing Eastern Time)** (the "Rule 3018(a) Motion").

mber 27, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "Rule 3018(a) Motion line"). If a creditor files a timely Rule 3018(a) Motion, such creditor's Ballot shall not be Deadline counted unless temporarily allowed by the Bankruptcy Court for voting purposes pursuant to Resolution Event prior to <u>December 5, 2023</u> (the **Voting Resolution Event Deadline**') or a otherwise setforth in the Disclosure Statement Order.

Resolution Event prior to December 5, 2023 (the 'Voting Resolution Event Deadline') or as otherwise set form hin the Disclosure Statement Order.
9. Calculation of Votes With Respect to Litigation Claims. Each Claim Filed or scheduled on account of a claim, cause of action, or litigation against the Debtors, for which a Proof of Claim has been timely filed and which has not been fixed pursuant to a judgment or settlement entered into and approved by a court of competent jurisdiction, including the Bankruptcy Court, prior to the Voting Record Date and reflex's, in whole or in part, an unliquidated and/or contingent daim that is not subject to a pending objection (regardless of whether such Claim as described in Section IVB.7(c) of the Solicitation Procedures is wholly or partially contingent or non-contingent of aliguidated to accord Date and reflex's, involve on Date'n an (religuidated and/or contingent daim that is not subject to a pending objection (regardless of whether such Claim as described in Section IVB.7(c) of the Solicitation Procedures is wholly or partially contingent or non-contingent of daim date of one Dollar (S100) per such Claim. The temporary allowance or distribution in the amount of One Dollar (S100) per such Claim. The temporary allowance of a Litigation Claim 'The Debtors, or any other party for any purpose other than voting on the Plan. Any Ioded or a Litigation Claim 'The Section IIC's Claim for woting purposes is required to file a & Bule 3018(a) Motion by the applicable Rule 3018(a) Motion Dreaddine: and otherwise satify the conditions set forth in Section IIC of the Solicitation Procedures. In accordance with Bankruptcy Rule 3018, any Ballot submitted by a holder of a Litigation Claim 'the Bankruptcy Court for voting purposes only in a different amount.
10. Plan Supplement. The Debtors will include, as applicable: (i) New Organizational Bankrupts Rule applicable and applicable as a plance of a Litigation Claim 'the Debtors's III's Plance's Advector Advectures and the A

<u>December 1, 2023</u>. The Plan Supplement will include, as applicable: (i) New Organizationa Documents, (ii) Identities of members of the New Board, (iii) Schedule of Retained Causes of Action Uocuments, (ii) identities of members of the new board, (iii) Schedule of ketained causes of Action, (iv) Post-Effective Date Debtor Amount Budget, (v) Identity of Claims Ombudsman, (v) Claims Ombudsman Agreement, (vii) Identity of Litigation Trustee, and (viii) Litigation Trust Agreement. The Plan Supplement will be served only on those parties that have requested notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002. Once the Plan Supplement is filed, a copy will also be available for review, free of charge, on the Debtors' restructuring website at https://www.kcdlc. net/lordstawn

11. Cure and Assumption Notice. The Debtors will file a Cure and Assumption Notice within 11. Cure and assumption Notice. In the Debio's will the a Cure and Assumption Notice within 14 days pior to the Confirmation Hearing, serve the Cure and Assumption Notice within the days pior to the Confirmation Hearing, serve the Cure and Assumption Notice within the Optimation Summer and assign the contract or lease in connection with this Plan and, where applicable, setting forth the proposed Cure Amount (if any). Any objection by a counterparty to an executory contract or unexpired lease to the proposed Cure Amount (if any), any objection by a counterparty to an executory contract or unexpired lease to the proposed Cure and assignment or public for Amount or public for the amount of the

connection with this Plan and, where applicable, setting forth the proposed Cure Amount (if any). Any objection by a counterparty to an executory contract or unexpired leases to the proposed assumption, assumption and assignment, or related Cure Amount must be filed, served, and actually received by the Debtors within ten (10) days of the service of the assumption notice, or such shorter period as agreed to by the parties or authorized by the Bankuptcy Count.
12. Objections to Confirmation. The deadline to object or respond to confirmation of the Plan is <u>December 8</u>, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "Plan Objection Deadline"). Any objections or responses to confirmation of the Plan is <u>December 8</u>, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "Plan Objection Deadline"). Any objections or responses to confirmation of the Plan is the eaplicable Bankuptcy Rules and Local Rules, (ii) state the name and address of the objecting party and the nature and amount of the Claim of such party. (iv) state with particularity the legal and factual basis and nature of any objection the Plan and include any evidentiary support therefor, and if practicable, a proposed modification to the Plan that would resolve such objection; and (v) be filed with the Bankuptcy Court, together with proof of service on or before the Plan Objection Deadline. (a) counsel to the Debtors, (i) White & following parties on or before the Plan Objection Deadline: (a) counsel to the Debtors, (i) White & Case LIP, Southeast Financial Center, 2005 outh Bicsquere Bulvetard Suite 490(A) Mimin [1, 3313] (Attn: Thomas E Lauria (tlauria@whitecase.com), 111 South Wacker Dive. Suite Tol, Ochicago, LI 60066 (Attn: Jason N.Zakia (jzkia@whitecase.com)), and 555 South Flower Street, Suite Z700, Los Angeles, CA90071 (Attn: Robert Kampfer@whitecase.com)), and S55 South Flower Street, Suite Z700, Los Angeles, CA90071 (Attn: Robert Kampfer@whitecase.com)), and S55 South Flower Street, Suite Z700, Los Angeles, CA90071 (Attn: Robert Kampfer@w (don.detweiler@wbd-us.com) and Morgan L. Paterson (morgan.patterson@wbd-us.com)); (b) the U.S. Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801 (Attn: Benjamin A the U.S. Instee, 844 kng Street, Suite 2207, Lockbox 35, Willington, U.F. 19601 (Attr: Benjamin A. Hackman (Benjamin A.Hackman@subgi.gov); J.C. Jounnel to the Creditors' Committee, Toutman Pepper Hamilton Sanders LLP, Hercules Plaza, Suite 5100 1313 N. Market Street, Suite 5100 Willmington, DE 19801 (Attr: David M. Fournier (david.fournier@troutman.com), 875 Third Avenue New York, NY TO22 (Attr:: Debrah Kovsly-Aga) (deborah. Kovsly-WengWrotutman.com), and 3000 You Logan Square, 18th & Arch Streets, Philadelphia, PA 19103 (Attr: Francis J.Lawall (francis Jawall@ Logan Japaci, Yok and Japaci, Yok and Japaci, Japaci Ja

(bsilverberg@brownrudnick.com)). 13. IF ANY OBJECTION TO CONFIRMATION OF THE PLAN IS NOT FILED AND SERVED STRICTLY AS PRESCRIBED HEREIN, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO CONFIRMATION OF THE PLAN AND MAY NOT BE HEARD AT THE CONFIRMATION HEARING.

Additional Information. If you wish to receive additional copies of the Plan or the Disclosu Additional information. It you wish to receive additional copies of the Plan of the Disclosure Statement, you may receive copies free of charge from the Debors' Solicitation Agent by: (a) calling the Debors' toll-free restructuring hotline at (877) 709-4757 (U.S./Canada) or (424) 236-7235 (International); (b) visiting the Debtors' restructuring website at https://www.kcll.net/ lordstown;(c) writing to Lordstown Processing Center, c/o Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245; or (d) emailing lordstowninfo@kccll.com (with 'Jordstown' in the subject line). Please note that the Solicitation Agent is not authonized to, and will not, provide legal advice to you. If you need legal advice, please consult with your attorney You may also access from these materials for a fee via PACER at http://www.deb.uscourts.gov/.

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LUPTCIES

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Notwithstanding anything to the contrary in the preceding paragraph, the Putative lass Action Representatives shall not be deemed to constitute Releasing Parties; pro-ided, that the Debtors do not concede that the certification of a class is appropriate in any f the Putative Class Actions and the exclusion of the Putative Class Action Representatives of the Putative Class Action Representatives. om the releases set forth herein shall not constitute an admission by any Person or Entity cluding the Debtors, that a class is appropriate in any of the Putative Class Actions; *pro ided further*, that the Debtors do not concede that the exclusion of the Putative Class Action or Entity representatives from the releases set forth herein in any way binds the other members of ny putative class or in any way affects the decision of any such putative class members to be Releasing Party and grant the releases set forth herein. All of the rights of the Debtors, the herein of the releases to be a set of the releases of the release of the releases the release of the releases to be released for the releases the releases to the release the release of the releases the re Putative Class Action Representatives and any other party in connection with the potential certification of any putative class and/or the granting of releases are expressly reserved in all respects. If the exclusion of the Putative Class Action Representative from the releases set forth herein does not bind other class members (as is the Debtors' contention), each such class member that is a Releasing Party under the terms of the Plan shall be deemed to have conclusively, absolutely, unconditionally, irrevocably, and forever released, waived, and ischarged each Released Party from any Claims related to or asserted in the Putative Class ctions[®] (which actions include, for the avoidance of any doubt, the Ohio Securities Class ction, the Delaware Shareholder Class Action, and the Post-Petition Securities Action).

Additionally, notwithstanding anything to the contrary in the Plan or the Confirmation Order, nothing herein or therein does, shall, or may be construed to release, the Debtors or bar the assertion of claims against them as nominal defendants in the Post-Petition ecurities Action for purposes of preserving and enforcing rights to coverage under and ecovery of the proceeds of the D&O Liability Insurance Policies.

E. Exculpation. Except as otherwise specifically provided in the Plan, no Exculpated arty's shall have or incur liability for, and each Exculpated Party is hereby exculpated from, ny Cause of Action for any claim related to any act or omission from the Petition Date to the Effective Date in connection with, relating to, or arising out of, the Chapter 11 Cases, in whole or in part, the Debtors, the formulation, preparation, dissemination, negotiation, of the Plan, the Disclosure Statement, any contract, instrument, release, or other agreenent or document created or entered into in connection with the Plan, the Disclos Statement, the filing of the Chapter 11 Cases, the pursuit of Confirmation, the pursuit of Consummation, the administration and implementation of the Plan or the distribution If Cash under the Plan, or any other related agreement, except for Claims or Causes of action arising from an act or omission that is judicially determined in a Final Order to have Action arising from an act or offission that is judically determined in a rinal order to have constituted actual fraud, willing misconduct, or gross negligence, but in all respects, such Exculpated Parties shall be entitled to the fullest extent permitted by law to reasonably rely upon the advice of counsel with respect to their duties and responsibilities. The Exculpated Parties have, and upon Consummation of the Plan, shall be deemed to have, participated in good faith and in compliance with the applicable laws with regard to the solicitation of, and distribution of, consideration pursuant to the Plan and, therefore, are not, and on account of such distributions chall not be liable at a with time for the violation of and of such distributions shall not be, liable at any time for the violation of any applicable law, rule, or regulation governing the solicitation of acceptances or rejections of the Plan or such distributions made pursuant to the Plan.

AFFECTED. Dated: November 1, 2023, Respectfully submitted, /s/ Morgan L, Patterson ____WOMBLE BOND DICKINSON (US) LLP, Donald J. Detweiler (Bar No. 3087), Morgan L. Patterson (Bar No. 5388), 1313 North Market Street, Suite 1200, Wilmington, Delaware 19801, Telephone: (302) 252-4320, Facsimile: (302) 252-4330, don.detweiler@wbd-us.com, morgan.patterson@wbd-us.com, Proposed Gounsel to the Debtors and Debtors in Possession - and - WHITE & CASE LLP, Thomas E Lauria (admitted pro har vice), Matthew C. Brown (admitted pro har vice), Fan B. He (admitted pro har vice), 200 South Biscayne Boulevard, Suite 4900, Miami, FL 33131, Telephone: (305) 371-2700, tauria@whitecase.com, metweinheitecase.com, The@whitecase.com - and- David M. Turetsky (admitted pro har vice), 1221 Avenue of the Americas, New York, NY 10020, Telephone: (212) 819-8200, david.turetsky@whitecase.com, and-Bason N. Zakia (admitted pro har vice), 1321 Suite 5100, Chicago, IL 60606, Telephone: (312) 881-5400, jzakia@ whitecase.com - and- Roberto Kampfiner (admitted pro har vice), Doah Kim (admitted pro har vice), RJ Subuk (admitted pro har vice), 1323 Usut F 5100, Chicago, IL 60606, Telephone: (312) 881-5400, jzakia@ whitecase.com, - and- Roberto Kampfiner (admitted pro har vice), Doah Kim (admitted pro har vice), RJ Subuk Flower Street, Suite 2700, tauria@-whitecase.com, fourse to Debtors and Debtors-in-Possession - 1, szuba@-whitecase.com, course to Debtors and Debtors-in-Possession - The Debtare and the last four vice is the streescript harvanew identification numbers are

¹ The 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 Debtors' service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Capitalized terms used but not otherwise defined herein have the meanings a rms in the Plan, the Disclosure Statement (as defined below), or the Solicitation scribed to suc efined below), as applicable

defined below), as applicable. ¹³ "Releasing Party" means each of the following in their capacity as such: (i) all Holders of Claims or Interests that vote to accept the Plan and opt in to the third party releases provided for in <u>Article VIII</u>D by checking the box on the applicable Ballot or form indicating that they opt in to granting such releases in the Plan submitted on or before the Voting Deadline; and (iii) with respect to each of the foregoing Entities in dauses (i) and (ii)), such trity and its current and former Affiliates, and such Entities' and their current and former Affiliates' current and former directors; managers, officers preferences or uccessors and ascissions subvidiances and each of their respective Animaes, all sour Entures and user coment allo former allo animates stunction and follower accoust managers, officers, predexessors, accessors, and assigns, subsidiaries, and each of their expective current and former equity holders, officers, financial advisors, partners, attorneys, accountants, managed accounts or funds, management companies, fund advisors, investment bankers, consultants accounts or funds, management companies, fund advisors, investment bankers, consultants engressentives, and other professionals, each in its capacity as such *provided*. Anower, that the Entities identified in part (iii) shall be Releasing Parties only to the extent the corresponding the investment of the anomal states of the states o Entities in parts (i) and (ii) are legally able to bind such Entities in part (iii) to the releases contained in the Plan under applicable law; *provided, further*, that, subject to the terms of <u>Article VIII.D</u>, the Putative Class Action Representatives shall not be deemed to be Releasing Parties.

Putative Class Action Representatives shall not be deemed to be Releasing Parties. ***** "Released Party" means each of the following in their capacity as such: (i) the Debtors; (ii) the Post-Effective Date Debtors; (iii) each of the Debtors' Estates; (iv) the UCC, (v) each of the UCC Members, solely in its capacity as a UCC Member; (vi) the EC; (vii) each of the EC Members, solely in its capacity as an EC Member; and (viii) with respect to each of the foregoing Dentities in clauses (i) through (vii), their respective current and former officers, directors, employees, attorneys, accountants, investment bankers, consultants and other professionals other than Excluded Parties, each in its capacity as such; provided that, notwithstanding anything in the foregoing, any Person or Entity that is an Excluded Party shall not be a Released Party; provided further that, notwithstanding anything in the foregoing, any Person or Entity that is entitled to vote on the Plan but does not vote to accept the Plan or otherwise opt in to the releases shall not be a Released Parties. "Excluded Parties" means foxconn and the Former Directors and Officers. "Excluded Parties" means foxcons as a chot the following in their capacity as curve; (ii) the Debtors; (iii)

*Excluded Parties' means Foxconn and the Former Directors and Officers.
*Excluded Parties' means each of the following in their capacity as such: (i) the Debtors; (ii) the Chapter 11 Directors and Officers, (iii) agents, members of management and other employees of the Debtors; in each case who are or were acting in such capacity on or after the Petition Date; (iv) the UC and the UC Members; (v) the EC and the EC Members and (v) all predecessors, successors and assigns, subsidiaries, affiliates, members of mathematication (v) all predecessors, successors and assigns, subsidiaries, affiliates, members, partners, officers, directors, agents, attorneys, advisors, accountants, Investment bankers, consultants, and other professionals, to the extent such parties are over eacting in such capacity of any of the Persons identified in (i), (ii), (iii) (iii) (iv), and (v) above on or after the Petition Date.

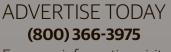
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ANNOUNCEMENTS

NOTICE OF SALE

NOTICE OF SALE-CONDO BUILDING-PARTITION AUCTION SUPREME COURT - COUNT OF KINGS LEROY P. SHEPHERD, as President of the Board of Managers of the One Sunset Park (condominium, PlaintIf(s) - against: WILSON WONG, et al., Defendant(s). Pursuant to an Amended Interlocutory Judgment of Partition and Sale ("Amended Interlocutory Judgment of Partition and Sale ("Amended Interlocutory Judgment of Partition and Sale ("Amended Interlocutory Judgment of Partition and Atade October 30, 2023, t, the undersigned Referee, will sell at public auction, with said auction to be held in Room 224 of the Kings County Supreme Courthouse, located at 360 Adams Street, Brooklyn, New York, or such other reasonable space as the Court and/or the Referee may choose, on November 30, 2023 at 230 PM. Eastern Time, the real property located at 702 44th Street, Brooklyn, New York (the "Premises"), being the building known as One Sunset Park Condominium and described as follows: Block 741, lots 1001 - 1054 on the tax map of the Borough of Brooklyn, and more particularly described as follows: ALL that certain plot, piece or parel of land, lying and being in the Borough of Brooklyn, County of Kings and City and State of New York, and being more particularly bounded and described as follows: BEGINNING at the corner formed by the intersection of the easterly side of 7th Avenue, 100 feet 2 inches; THENCE westerly parallel with 74th Arter, 120 feet to the easterly side of 7th Avenue, 100 feet 2 inches; THENCE westerly parallel with 74th Street, 120 feet the corner, the point or place of BEGININUS. **MUTE CON ATTER AM APRIL 32**, 2019 FIRE PARTIALLY **DESTROYED THE PREMISES IS BEING SOLD AT PUBLIC. AUTION ATTER AM APRIL 32**, 2019 FIRE PARTIALLY **DESTROYED THE PREMISES IS BEING SOLD AT PUBLIC. AUTION ATTER AM APRIL 32**, 2019 FIRE PARTIALLY **DESTROYED THE PREMISES IS BEING SOLD AT PUBLIC. AUTION ATTER AM APRIL 32**, 2019 FIRE PARTIALLY **DESTROYED THE PREMISES IS BEING SOLD AT PUBLIC. AUTION ATTER AM APRIL 32**, 2019 FIRE PARTIALLY **DESTROYED THE PREMISES**

reviewed on the Kings County Supreme Court's electronic docket under Index Number 506841/2020, and Terms of Sale which will be provided upon request. Each bidder must satisfy the Referee that said bidder is qualified by presenting a certified or bank check in the amount of \$250,000 made Registration eras a deposit to the Referee by 500 p.m. (ET) the day before the auction with an Auction Bidder Registration Form. At the immediate conclusion of the auction sale, the successful bidder will be required to (1) thender a deposit equaling at least ten percent (10%) of the successful bid, taking into account the \$250,000 deposit, in the form of certified or bank check(s) made payable to "JEFFREY SALTIEL, ESQ., REFEREE", and (ii) agree to be bound by the terms of the Amended Interlocutory Judgment and Terms of Sale, including but not limited to the terms specifying the successful bidder's liability for damages in the event of a default. Please consult the Amended Interlocutory Judgment, Auction Bidder Registration Form, and Terms of Sale for other conditions applicable to this auction.

to this auction. In order to properly qualify as a bidder Registration Form and the deposit to the Referee in person at the address below by 5:00 p.m. (ET) on November 29, 2023, along with other items, as detailed on such Bidder Registration Form. Referee reserves the right to reject or refuse any materials received after 5:00 p.m. (ET) on November 29, 2023.

November 29, 2023. To receive the instructions to tour the Premises and to receive the Auction Bilder Registration Form and Amended Interlocutory Judgment, interested bilders MUST contact Janice Goldberg, Esq., Attormey for Plaintiff, via email at jooldberg/dherrick.com or phone at +1 (212) 592-6192. Dours of the Premises are based upon availability on a first come, first served basis. There is no guarantee that all interested parties will have the ability to tour the Premises, JEFFREY SALTIEL, ESQ., Referee, Wenig, Saltiel LIP, 321 Broadway, Second Floor, New York, New York 10007

You shouldn't have to put any money down to go wheels up.



An unmatched experience with no financial commitment.

Unity Jets offers trip-by-trip solutions with no membership fees and no upfront capital. Call us to request an all inclusive quote on a future trip.



PUBLIC NOTICES

Tacora Resources Inc. Notice of Solicitation Proces

On October 10, 2023, Tacora Resources Inc. (the "Tacora") sought and obtained an Order under the Tacora) sought and obtained an Urder under the Companies' (reditors Arrangement Act, R.S.C. 1985, c. C-36 as amended (the "Initial Order") granting, inter alia, a stay of proceedings in favour of Tacora and appointing FII Consulting Canada Inc. as monitor (in such capacity, the "Monitor").

Pursuant to an order granted by the Court on October 30, 2023 (the "Solicitation Order"), Tacora, with the assistance of Greenhill & amp; Co. Canada Ltd. ("Greenhil"), and under the supervision of the Monitor, has initiated a solicitation process (the "Solicitation Process") to solicit interest in, and opportunities for: (a) a sale of all, substantially all, or certain portions of the property or the business of Tacora; or (b) an investment in, restructurion, recapitalization, refinancing or other in, restructuring, recapitalization, refinancing or othe form of reorganization of Tacora or its business as a going concern, or a combination thereof. The Solicitation Process also provides the ability for interested parties Process also provides use animy for interested particles to investigate and conduct due diligence regarding an opportunity to arrange an offtake, service or other agreement in respect of the business. The Solicitation Process is a two-phased process. Qualified interested parties who wish to submit a bid who Guitation Drocess is a two-phased process.

in the Solicitation Process must deliver a non-binding letter of interest to Greenhill with a copy to the Monitor in accordance with the Solicitation Order, by no later than 12:00 p.m. (Eastern Time) on December 1, 2023. Binding offers must be submitted by no later than January 19, 2024, at 12:00 p.m. (Eastern Time) in accordance with the Solicitation Order.

Copies of the Initial Order, the Solicitation Order and Il related materials may be obtained from the website of the Monitor at http://cfcanada.fticonsulting.com/ tacora/

Any party interested receiving additional information about, or in participating in, the Solicitation Process should contact Greenhill at ProjectElement2023@ areenhill.com.

BUSINESS OPPORTUNITIES

Innovative Branded Footwear Company Mid-Atlantic U.S.

Seeking buyer for two flagship brands, e-commerce platform, extensive retail network, inventory

Nationally recognized designer and distributor of on-trend footwear products with a 100 year+ operating history. Multi-channel distribution network including 2,300 accounts (over 600 active) and a proprietary D2C e-commerce platform. The ideal buyer will fund the upcoming seasonal inventory commitments Sale process already underway.

> Contact: Debbie Beall (443) 951-4854 · specialsituations@schgroup.com



Exhibit B



CRAIN COMMUNICATIONS INC

1155 Gratiot Avenue · Detroit, MI 48207-2913 Telephone (313) 446-6000

AFFIDAVIT OF PUBLICATION

KCC

STATE OF MICHIGAN }

COUNTY OF WAYNE }

Angela Schutte, Automotive News Classified Manager, being duly

sworn, deposes and says that the attached advertisement was published in Automotive News on the following:

Date: 11-13-23 Page: 41

and as an authorized employee of Crain Communications Inc. knows well the facts herein

stated.

Angela Schutto

On

11/13/23 before me personally appeared, <u>Angela Schutte</u>

to me known to be the person described in and who executed the foregoing instrument doing so as an act of free will and deed.

Teryl J. Mc Ooy, Notary Public Washtenaw County, Michigan acting in Wayne County. My commission expires 6/25/2028

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re: Lordstown Motors Corp., et al.,¹ Debtors Chapter 11 Case No. 23-10831 (MFW) (Jointly Administered)

NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT. (II) ESTABLISHMENT OF VOTING RECORD DATE, (III) HEARING ON CONFIRMATION OF THE PLAN, (IV) PROCEDURES FOR OBJECTING TO THE CONFIRMATION OF THE PLAN, AND (V) **PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN**

TO ALL PARTIES IN INTEREST IN THE DEBTORS' CHAPTER 11 CASES: TO ALL PARTIES IN INTEREST IN THE DEBTORS' CHAPTER 11 CASES: PLEASE TAKE NOTICE THAT on October 30, 2023, Lordstown Motors Corp. and its affiliated debtors and debtors in possession in the above-captioned chapter 11 cases (together, the "Debtors") filed their (i) Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [D.1. 635] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Plan"); and (ii) the Disclosure Statement Pursuant to 11 U.S.C. § 1125 with Respect to Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [D.1. 637] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the "Disclosure Statement").²

Disclosure Statement").² PLEASE TAKE FURTHER NOTICE THAT:

PLEASE TAKE FURTHER NOTICE THAT: 1. Approval of Disclosure Statement. On November 1, 2023, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order [D.I. 651] (the "Disclosure Statement Order") approving the Disclosure Statement. The Disclosure Statement Order, among other things, authorizes the Debtors to solicit votes to accept or reject the Plan and establishes procedures related thereto (the "Solicitation Procedures"). 2. Approved Dates and Deadlines. The following dates and deadlines in connection with the

Event	Date
Voting Record Date	October 31, 2023
Solicitation Date	Five (5) business days after the entry of the Disclosure Statement Order, or as soon as reasonably practicable thereafter
Publication Deadline	Five (5) business days after the entry of the Disclosure Statement Order, or as soon as reasonably practicable thereafter
Rule 3018(a) Motion Deadline	November 27, 2023 at 4:00 p.m. (ET)
Voting Resolution Event Deadline	December 5, 2023
Plan Supplement Deadline	December 1, 2023 (The date that is no later than seven (7) days prior to the Plan Objection Deadline)
Deadline to file proposed form of the Confirmation Order	The date that is no later than seven (7) days prior to the Plan Objection Deadline
Plan Objection Deadline	December 8, 2023 at 4:00 p.m. (ET)
Voting Deadline	December 12, 2023 at 5:00 p.m. (ET)
Deadline to file (i) Reply to Plan Objections, (ii) Brief in Support of Plan Confirmation; (iii) Declarations in Support of Plan Confirmation, and (ii) Voting Report	December 15, 2023
Confirmation Hearing	December 19, 2023 at 2:00 p.m. (ET)

 Confirmation Hearing
 December 19, 2023 at 2:00 p.m. (ET)

 3. Confirmation Hearing. A hearing to consider confirmation of the Plan has been scheduled for December 19, 2023 at 2:00 p.m. (prevailing Eastern Time) (the "Confirmation Hearing") before the Honorable Mary F. Walrath, United States Bankruptcy Judge, at the Bankruptcy Court, located at 824 North Market Street, Fifth Floor, Courtroom No. 4, Wilmington, Delaware 19801.

 Please be advised that the Confirmation Hearing may be adjourned or continued from time to time by the Bankruptcy Court or the Debtors without further notice other than as indicated in any notice or agenda of matters scheduled for a particular hearing that is filed with the Bankruptcy Court or by being announced in open court. If the Confirmation Hearing is continued, the Debtors will post the new date and time of the Confirmation Hearing at https://www.kcllc.net/

 Idotted Status and Voting Rights. In accordance with Bankruptcy Code Section 1122 and 1123, the Plan contemplates classifying Holders of Claims and Interests into various Classes for all purposes, including with respect to voting on the Plan, as follows:

Summary of Status and Voting Rights				
Class	Claim / Interest	Status	Voting Rights	
1	Other Priority Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)	
2	Secured Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)	
3	General Unsecured Claims	Impaired	Entitled to Vote	
4	Intercompany Claims	Unimpaired	Not Entitled to Vote (Presumed to Accept)	
5	Foxconn Preferred Stock Interests	Unimpaired	Deemed to Accept (Provided that Provisional Votes Will Be Solicited)	
6	Intercompany Interests	Unimpaired	Deemed to Accept	
7	Common Stock Interests	Impaired	Entitled to Vote	
8	Section 510(b) Claims	Impaired	Entitled to Vote	
9	RIDE Section 510(b) Claims	Impaired	Entitled to Vote	
10	Ohio Securities Class Action Claims	Unimpaired	Deemed to Accept	
5. Voting Pagard Data, Subject to the Solicitation Procedures, the following holders of Clair				

and Interests against the Debtors as of October 31, 2023 (the "Voting Record Date") are entitled to vote on the Pla

Class	Description
Class 3	General Unsecured Claims
Class 5	Foxconn Preferred Stock Interests
Class 7	Common Stock Interests
Class 8	Section 510(b) Claims
Class 9	RIDE Section 510(b) Claims
Class 10	Ohio Securities Class Action Claims (For Class 10 Election)

6. Voting Deadline. All votes to accept or reject the Plan must be actually received by the itation Agent by December 12, 2023 at 5:00 p.m. (prevailing Eastern Til e) (the Deadline"). Any failure to follow the voting instructions included with your Ballot may disqualify you

Voting Procedures for Class 7 Common Stock Interests. By the Solicitation Date. 7 the Solicitation Agent shall distribute or cause to be distributed (i) a Solicitation Package to each beneficial Holder (each a "Beneficial Holder") of each registered or beneficial Holder of a Common Stock Interest in Class 7 as of the Voting Record Date whether directly or through a Nominee (as defined below), and (ii) an appropriate number of Solicitation Packages and a master ballot (a "Master Ballot") to each bank, broker, or other intermediary (each a "Nominee") identified to the Solicitation Agent as a Holder of record through which one or more such Beneficial Holders holds such Claim in 'street name' as of the Voting Record Date. The Solicitation Agent shall also distribute a Solicitation Package to each Entity that is directly registered as a Beneficial Holder (i.e. does not hold their Claim through a Nominee) as of the Voting Record Date. All Beneficial Holder (i.e. does not to accept or reject the Plan must be properly completed, executed, and returned to the Nominees in such manner to allow sufficient time for the Voting Nominee to process such votes on Master Ballots and mail or deliver such Master Ballots to the Solicitation Agent so that they are <u>actually received</u> by the Solicitation Agent by the Voting Deadline.

The Solicitation Agent by the Voting Deadline.
8. Parties in Interest Not Entitled to Vote. All Holders of Unclassified Claims and Holders of Unimpaired Claims and Interests in classes conclusively presumed to accept the Plan are not entitled to vote and will not receive a Ballot. Such Holders will instead receive the (i) Confirmation Hearing Notice, and (ii) Notice of Non-Voting Status to Holders of Unclassified and Unimpaired Claims Conclusively Presumed to Accept the Plan. If you disagree with the amount set forth by the Debtors for your Claim in the Schedules or if you have filed a Proof of Claim and disagree with either (i) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan; or (ii) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan; or (ii) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan; or (ii) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan; or (ii) the Debtors' objection to your Claim and believe that you should be used they are yound an order, pursuant to Bankruptcy Rule 3018(a) Motion"). All Rule 3018(a) Motions must be filed with the Bankruptcy Court and served on the Debtors on or before November 27, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "Rule 3018(a) Motion Deadline"). If a creditor files a timely Rule 3018(a) Motion, such creditor's Ballot shall not be counted unless temporarily allowed by the Bankruptcy Court for voting purposes pursuant to a Resolution Event prior to December 5, 2023 (the "Voting Resolution Event Deeat file diry") or a sotherwise set forth in the Disclosure Statement Order.
9. Calculation of Votes With Respect to Litigation Claims. Each Claim Filed or scheduled on account of a claim, cause of action, or litigation against the Debtors, for which a Proof of Claim has been timely filed and which has not been fixed pursuant to a judgment or settlement entered into an est Not Entitled to Vote. All Holders of Unclassified Claims and Holders of 8 Parties in Inter

that seeks different treatment for such Claim for voting purposes is required to file a Rule 3018(a) Motion by the applicable Rule 3018(a) Motion Deadline and otherwise satisfy the conditions set f in Section III.C of the Solicitation Procedures. In accordance with Bankruptcy Rule 3018, any Ba submitted by a holder of a Litigation Claim that files a Rule 3018(a) Motion will be counted sole lolv ir

submitted by a holder of a Litigation Claim that files a Rule 3018(a) Motion will be counted solely in accordance with the Solicitation Procedures unless and until, after notice and a hearing, such Claim is temporarily allowed by the Bankruptcy Court for voting purposes only in a different amount. 10. *Plan Supplement*. The Debtors will file the Plan Supplement documents on or before **December 1, 2023**. The Plan Supplement will include, as applicable: (i) New Organizational Documents, (ii) Identities of members of the New Board, (iii) Schedule of Retained Causes of Action, (iv) Post-Effective Date Debtor Amount Budget, (v) Identity of Claims Ombudsman Agreement, (viii) Identity of Litigation Trustee, and (viii) Litigation Trust Agreement. The Plan Supplement will be served only on those parties that have requested notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002. Once the Plan Supplement is filed, a copy will also be available for review, free of charge, on the Debtors' restructuring website at https://www.kcclc.net/ lordstown.

Cure and Assumption Notice. The Debtors will file a Cure and Assumption Notice within 14

available for review, free of charge, on the Debtors' restructuring website at https://www.kcclc.net/ lordstown. 11. **Cure and Assumption Notice.** The Debtors will file a Cure and Assumption Notice within 14 days prior to the Confirmation Hearing, serve the Cure and Assumption Notice on parties to executory contracts or unexpired leases to be assumed or assumed and assigned reflecting the Debtors' intention to potentially assume or assume and assign the contract or lease in connection with this Plan and, where applicable, setting forth the proposed Cure Amount (if any). Any objection by a counterparty to an executory contract or unexpired lease to the proposed assumption, assumption and assignment, or related Cure Amount must be filed, served, and <u>actually received</u> by the Debtors within ten (10) days of the service of the assumption notice, or such shorter period as agreed to by the parties or authorized by the Bankruptcy Court. 12. *Objections to Confirmation*. The deadline to object or respond to confirmation of the Plan is **December 8**, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "Plan Objection Deadline"). Any objections or responses to confirmation of the Plan, must: (i) be in writing; (ii) conform to the applicable Bankruptcy Rules and Local Rules, (iii) state the name and address of the objection party and the nature and amount of the Claim of such party; (iv) state with particularity the legal and factual basis and nature of any objection to the Plan that would resolve such objection padline, and served so as to be <u>actually received</u> by the following parties on or before the Plan Objection Deadline: (a) counsel to the Debtors, (i) White & Case LLP, Southeast Financial Center, 200 South Biscayne Boulevard, Suite 4900, Miami, FL 33131 (Attr: Thomas E Lauria (tlauria@whitecase.com), Matthew Brown (mbrown@whitecase.com), and Fan B. He (fhe@whitecase.com), 1221 Avenue of the Americas, New York, NY 10020 (Attr: David Turetsky (david.turetsky@whitecase.com), 1. Patterson (morgan.patterson@wbd-us.com PA 19103 (Attn: Francis J. Lawall (francis.lawall@troutman.com)); and (d) counsel to the Equity Committee, (i) Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801 (Attn: Construction of the second second

AS PRESCRIBED HEREIN, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO CONFIRMATION OF THE PLAN AND MAY NOT BE HEARD AT THE CONFIRMATION HEARING.

CONFIRMATION OF THE PLAN AND MAY NOT BE HEARD AT THE CONFIRMATION HEARING. Additional Information. If you wish to receive additional copies of the Plan or the Disclosure Statement, you may receive copies free of charge from the Debtors' Solicitation Agent by: (a) calling the Debtors' toll-free restructuring hotline at (877) 709-4757 (U.S./Canada) or (424) 236-7235 (international); (b) visiting the Debtors' restructuring website at https://www.kcclic.net/lordstown; (c) writing to Lordstown Processing Center, c/o Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite 300,El Segundo, CA 90245; or (d) emailing lordstowninfo@kcclic.com (with 'Lordstown' in the subject line). Please note that the Solicitation Agent is not authorized to, and will not, provide legal advice to you. If you need legal advice, please consult with your attorney. You may also access from these materials for a fee via PACER at http://www.deb.uscourts.gov/. NOTCE DECADING CEDENING CEDENING ELECTION

AND ACCESS FOR THE PLAN IS CONFIRMED. PLEASE BE ADVISED THAT ARTICLE VIII OF THE PLAN POVIDES: C. Releases by the Debtors Pure Plan IS CONFIRMED. PLEASE BE ADVISED THAT ARTICLE VIII OF THE PLAN PROVIDES: C. Releases by the Debtors Pure Plan IS CONFIRMED. PLEASE BE ADVISED THAT ARTICLE VIII OF C. Releases by the Debtors Pure Plan IS CONFIRMED.

C. Releases by the Debtors. Pursuant to section 1123(b) of the Bankruptcy Code, for good and valuable consideration, the adequacy of which is hereby confirmed, as of the Effective Date, the Debtors and their Estates, the Post-Effective Date Debtors and each of their respective current and former Affiliates (with respect to non-Debtors, to the extent permitted by applicable law), on behalf of themselves and their respective Estates, including, without limitation, any successor behalf of themselves and the representative appointed or selected pursuant to section 1123(b) (3) of the Bankruptcy Code, shall be deemed to have conclusively, absolutely, unconditionally, irrevocably, and forever released, waived, and discharged the Released Parties from any and all Claims, Interests, obligations, rights, suits, damages, Causes of Action, remedies, and liabilities whatsoever, in each case, whether prepetition or postpetition (including any derivative Claims asserted or that may be asserted on behalf of the Debors or their Estates), whether known or unknown, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwis based on or relating to, or in any manner arising from, in whole or in part, the Debtors or the conduct of their business (in each case, whether prepetition or postpetition), the formulation, preparation, dissemination, negotiation of the Plan, the Disclosure Statement, any contract, instrument, release, or other agreement or document created or entered into in connection with the Plan, the Disclosure Statement, the Chapter 11 Cases, the pursuit of Confirmation the pursuit of Consummation, the administration and implementation of the Plan, including the pursuit of Consummation, the administration and implementation of the Plan, including the distribution of property under the Plan, or any other related agreement, or upon any other act or omission, transaction, agreement, event, or other occurrence taking place on or before the Effective Date (in each case, whether prepetition or postpetition) related or relating to the foregoing. Notwithstanding anything to the contrary in the foregoing, the releases set forth in this <u>Article VIII.C</u> shall not release (i) any Released Party from Claims or Causes of Action arising from an act or omission that is judicially determined by a Final Order to have constituted actual fraud, willful misconduct, or gross negligence, or (ii) any post-Effective Date obligations of any party or Entity under the Plan or any document, instrument, or agreement executed to implement the Plan.

party or Entity under the Plan or any document, instrument, or agreement executed to implement the Plan. **D.** *Releases by Holders of Claims and Interests.* As of the Effective Date, for good and valuable consideration, the adequacy of which is hereby confirmed, each Releasing Party³ shall be deemed to have conclusively, absolutely, unconditionally, irrevocably, and forever released, waived, and discharged each Debtor, Post-Effective Date Debtor, and other Released Party⁴ from any and all Claims, obligations, rights, suits, damages, Causes of Action, remedies, and itabilities whatsoever (in each case, whether prepetition or postpetition), including any derivative Claims asserted or that may be asserted on behalf of the Debtors or their Estates, that such Entity would have been legally entitled to assert in their own right (whether individually or collectively) or on behalf of the Holder of any Claim or Interest, whether known or unknown, foreseen or unforeseen, existing or hereinafter arising, in law, equity, or otherwise, based on or relating to, or in any manner arising from, in whole or in part, the Debtors or the conduct of their business (in each case, whether prepetition or postpetition), the formulation, preparation, dissemination, or negotiation of the Plan, the Disclosure Statement, any contract, instrument, release, or other agreement or document created or entered into in connection with the Plan, the Disclosure Statement, the Chapter 11 Cases, the pursuit of Confirmation, the pursuit of Consummation, the administration and implementation of the Plan, including the distribution of property under the Plan, or any other related agreement, or upon any other act or omission, transaction, agreement, event, or other occurrence taking place on or before the Effective Date (lin each case, whether prepetition or postpetition) related or relating to the foregoing. Without limiting the generality of the foregoing, and subject to the paragraph directly below, pursunt to the Releases set forth in this <u>Artic</u> **D.** *Beleases by Holders of Claims and Interests*. As of the Effective Date, for good and

set forth herein in any way binds the other members of any putative class or in any way affects the decision of any such putative class members to be a Releasing Party and grant the releases set forth herein. All of the rights of the Debtors, the Putative Class Action Representatives and

any other party in connection with the potential certification of any putative class and/or the granting of releases are expressly reserved in all respects. If the exclusion of the Put Action Representative from the releases set forth herein does not bind other class m Action Representative from the releases set forth herein does not bind outer class members (as is the Debtors' contention), each such class member that is a Releasing Party under the terms of the Plan shall be deemed to have conclusively, absolutely, unconditionally, irrevocably, and forever released, waived, and discharged each Released Party from any Claims related to or asserted in the Putative Class Actions (which actions include, for the avoidance of any doubt, and the Detuber of the Detuber of the Actions include, for the avoidance of any doubt. aware Sha the Ohio Securities Class Action. the D reholder Class Action, and th

he Ohio Securities Class Action, the Delaware Shareholder Class Action, and the Post-Petition iecurities Action). Additionally, notwithstanding anything to the contrary in the Plan or the Confirmation Order, hothing herein or therein does, shall, or may be construed to release, the Debtors or bar the ssertion of claims against them as nominal defendants in the Post-Petition Securities Action for nurposes of preserving and enforcing rights to coverage under and recovery of the proceeds of he D&O Liability Insurance Policies.

Inothing herein or therein does, shall, or may be construed to release, the Debtors or bar the assertion of claims against them as nominal defendants in the Post-Petition Securities Action for purposes of preserving and enforcing rights to coverage under and recovery of the proceeds of the D&O Lability Insurance Policies.
E. Exculpation. Except as otherwise specifically provided in the Plan, no Exculpated Party's shall have or incur liability for, and each Exculpated Party's hereby exculpated from, any Cause of Action for any claim related to any act or omission from the Petition Date to the Effective Date in connection with, relating to, or arising out of, the Chapter 11 Cases, in whole or in part, the Debtors, the formulation, preparation, dissemination, negotiation, of the Plan, the Disclosure Statement, any contract, instrument, release, or other agreement or document created or entered into in connection with the Plan, the Disclosure Statement, the filing of the Chapter 11 Cases, the pursuit of Confirmation, the pursuit of Consummation, the administration and implementation of the Plan or the distribution of Cash under the Plan, or any other related agreement, except for Claims or Causes of Action arising from an act or omission that is judicially determined in a Final Order to have constituted actual fraud, willful misconduct, or gross negligence, but in all respects, such Exculpated Parties shall be entitled to the fulles extent permitted by law to reasonably rely upon the advice of counsel with respect to their duties and responsibilities. The Exculpated Parties have, and upon Consumnation of the Plan, shall be deemed to brave, participated in good faith and in compliance with the applicable laws with regard to the solicitation of, and distributions shall not be, liable at any time for the violation of any applicable law, rule, or regulation governing the solicitation of acceptances or rejections of the Plan or action distributions made pursuant to the Plan.
F. *Injunction*. EXCEPT AS O INDICATION OF A CLAIM OR INTEREST OR OTHERWISE THAT SUCH ENTITY ASSERTS, HAS, OR Intends to preserve any right of setoff pursuant to applicable law or otherwise: AND (V) COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OF

ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH A WITH RESPECT TO ANY SUCH CLAIMS OF INTERESTS RELEASE DO R SETTLED PURSUANT TO THE PLAN. FOR THE AVOIDANCE OF DOUBT, NOTHING IN <u>ARTICLE VIILF</u> OF THE PLAN SHALL AFFECT ANY RIGHT OF FOXCONN TO SETOFF OR RECOUP THE AMOUNT OF ANY ALLOWED CLAIM OR THE AMOUNT OF ANY DISTRIBUTIONS TO WHICH THEY ARE ENTITLED ON ACCOUNT OF ALLOWED FOXCONN PREFERRED STOCK INTERESTS, IF ANY, AND ALL SUCH RIGHTS SHALL BE FULLY PRESERVED TO THE EXTENT AVAILARIE FINDER APPLICABLE LAW (AND ANY RIGHT OF TH DEBTORS AND THE POST-REORGANIZED DEBTORS WITH RESPECT TO THE FOREGOING SHALL

DEBTORS AND THE POST-REORGANIZED DEBTORS WITH RESPECT TO THE FOREGOING SHALL ALSO BE PRESERVED). PLEASE BE ADVISED THAT IF YOUR CLAIM IS UNIMPAIRED UNDER THE PLAN OR YOU ARE THE HOLDER OF AN UNCLASSIFIED CLAIM UNDER THE PLAN, YOU WILL BE DEEMED TO HAVE GRANTED THE RELEASES CONTAINED IN <u>ARTICLE VIILD</u> OF THE PLAN UNLESS YOU FILE A TIMELY OBJECTION TO THE PLAN. PLEASE ALSO BE ADVISED THAT IF YOU ARE ENTITLED TO VOTE, AND (A) VOTE TO ACCEPT THE PLAN, OR (B) REJECT THE PLAN AND OPT IN TO THE RELEASE PROVISIONS IN THE PLAN, YOU WILL BE DEEMED TO HAVE GRANTED THE RELEASES IN <u>ARTICLE VIILD</u> OF THE PLAN. NOT RETURN THE BALLOT OR ABSTAIN FROM VOTING ON THE PLAN, YOU WILL NOT BE BOUND BY THE RELEASES. The Plan also contains other related provisions that may affect your rights against the Debtors. YOU ABE ADVISED TO CARFEILU Y REVIEW AND CONSIDER THE PLAN. INCLUDING THE

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE INJUNCTION, RELEASE, AND EXCULPATION PROVISIONS, AS YOUR RIGHTS MAY BE AFFECTED. Dated: November 1, 2023, Respectfully submitted, *(s/ Morgan L. Patterson*, WOMBLE BOND DICKINSON (US) LLP, Donald J. Detweiler (Bar No. 3087), Morgan L. Patterson (Bar No. 5388), 1313 North Market Street, Suite 1200, Wilmington, Delaware 19801, Telephone: (302) 252-4320, Facsimile: (302) 252-4330, don.detweiler@wbd-us.com, morgan.patterson@wbd-us.com, *Proposed Counsel to the Debtors and Debtors in Possession* -and- WHITE & CASE LLP, Thomas E Lauria (atmitted ren ber vice) Matthew C. Brown (admitted ren ber vice) Earn B. He (admitted Counter (ad

Proposed Counsel to the Debtors and Debtors in Possession -and- WHITE & CASE LLP, Thomas E Lauria (admitted *pro hac vice*), Matthew C. Brown (admitted *pro hac vice*), Fan B. He (admitted *pro hac vice*), 200 South Biscayne Boulevard, Suite 4900, Miami, FL 33131, Telephone: (305) 371-2700, tlauria@whitecase.com, mbrown@whitecase.com, fhe@whitecase.com -and- David M. Turetsky (admitted *pro hac vice*), 1221 Avenue of the Americas, New York, NY 10020, Telephone: (212) 819-8200, david.turetsky@whitecase.com -and- Jason N. Zakia (admitted *pro hac vice*), 111 South Wacker Drive, Suite 5100, Chicago, IL 60606, Telephone: (312) 881-5400, jzakia@ whitecase.com -and- Roberto Kampfner (admitted *pro hac vice*), Doah Kim (admitted *pro hac vice*), RJ Szuba (admitted *pro hac vice*), 555 South Flower Street, Suite 2700, Los Angeles, CA 90071, Telephone: (213) 620-7700, rkampfner@whitecase.com, doah.kim@whitecase.com, rj.szuba@ whitecase.com, *Counsel to Debtors and Debtors-in-Possession*

The Debtors and the last four digits of their respective taxpaver identification numbers are Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors' service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Capitalized terms used but not otherwise defined herein have the meanings ascribed to such rms in the Plan, the Disclosure Statement (as defined below), or the Solicitation Procedures (as first de later as particular to the superscription of the solicitation procedures (as the detailed as a set first of the solicitation procedures). defined below), as applicable.

terms in the Plan, the Disclosure Statement (as defined below), or the sonicitation Procedures (as defined below), as applicable. ³ "Releasing Party" means each of the following in their capacity as such: (i) all Holders of Claims or Interests that vote to accept the Plan; (ii) all Holders of Claims or Interests that are entitled to vote on the Plan who vote to reject the Plan and opt in to the third party releases provided for in <u>Article VIII.D</u> by checking the box on the applicable Ballot or form indicating that they opt in to granting such releases in the Plan submitted on or before the Voting Deadline; and (iii) with respect to each of the foregoing Entities in clauses (i) and (ii), such Entity and its current and former Affiliates, and such Entities' and their current and former directors, managers, officers, predecessors, successors, and assigns, subsidiaries, and each of their respective current and former equity holders, officers, directors, managers, principals, members, employees, agents, advisory board members, financial advisors, partners, attorneys, accountants, managed accounts or funds, management companies, fund advisors, investment bankers, consultants, representatives, and (ii) are legally able to bind such Entities in part (iii) to the releases contained in the Plan under applicable law; provided, further, that, subject to the terms of <u>Article VIII.D</u>, the Putative Class Action Representatives shall not be deemed to be Releasing Parties.

"Released Party" means each of the following in their capacity as such: (i) the Debtors ⁴ "Released Party" means each of the following in their capacity as such: (i) the Debtors; (ii) the Post-Effective Date Debtors; (iii) each of the Debtors' Estates; (iv) the UCC, (v) each of the UCC Members, solely in its capacity as a UCC Member; (vi) the EC; (vii) each of the EC Members, solely in its capacity as a UCC Member; (vi) the EC; (vii) each of the EC Members, solely in its capacity as an EC Member; and (viii) with respect to each of the foregoing Entities in clauses (i) through (vii), their respective current and former officers, directors, employees, attorneys, each in its capacity as such; provided that, notwithstanding anything in the foregoing, any Person or Entity that is an Excluded Party shall not be a Released Party; provided further that, notwithstanding anything in the foregoing, any Person or Entity that is entitled to vote on the Plan but does not vote to accept the Plan or therwise opt in to the releases shall not be a Released Party. es shall not be a Released Party.

Excluded Parties" means Foxconn and the Former Directors and Officers.

"Exculpated Parties" means each of the following in their capacity as such: (i) the Debtors; (ii ^a "Exculpated Parties" means each of the following in their capacity as such: (i) the Debtors; (ii) the Chapter 11 Directors and Officers, (iii) agents, members of management and other employees of the Debtors, in each case who are or were acting in such capacity on or after the Petition Date; (iv) the UCC and the UCC Members; (v) the EC and the EC Members; and (vi) all predecessors, successors and assigns, subsidiaries, affiliates, members, partners, officers, directors, agents, attorneys, advisors, accountants, investment bankers, consultants, and other professionals, to the extent such parties are or were acting in such capacity of any of the Persons identified in (i), (ii), (iii) (iv), and (v) above on or after the Petition Date.