

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

In re	Chapter 11
Lordstown Motors Corp., <i>et al.</i> , <sup>1</sup>	Case No. 23-10831 (MFW)
Debtors.	(Jointly Administered)
Lordstown Motors Corp., <i>et al.</i> ,	Adv. Pro. No. 23-50428 (MFW)
Plaintiffs,	Related D.I. 2, 14, & 18
v.	
ATRI AMIN and BENJAMIN HEBERT, on behalf of themselves and similarly situated stockholders of Lordstown Motors Corp. (f/k/a DiamondPeak Holdings Corp.),	
Defendants.	

**ORDER DENYING DEBTORS' MOTION TO EXTEND THE AUTOMATIC STAY AND  
INJUNCTIVE RELIEF PURSUANT TO 11 U.S.C. § 105**

Upon consideration of the Debtors' *Motion To Extend The Automatic Stay And For Injunctive Relief Pursuant To 11 U.S.C. § 105, And Request For Hearing Date* (the "Stay Extension Motion")<sup>2</sup> [D.I. 2]; (ii) Defendants' *Brief In Response And Opposition To Debtors' Motion To Extend The Automatic Stay And For Injunctive Relief Pursuant To 11 U.S.C. § 105* [D.I. 14]; (iii) Debtors' *Reply In Support Of The Debtors' Motion To Extend The Automatic Stay And For Injunctive Relief Pursuant To 11 U.S.C. § 105* [D.I. 18]; and (iv) the declarations and other evidence presented by the

<sup>1</sup> 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.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Stay Extension Motion.



Debtors and Defendants in support thereof; and this Court having considered the evidence presented and heard the arguments of counsel at a hearing on the Stay Extension Motion on August 3, 2023 (the “Hearing”); the Court finds and concludes as follows:

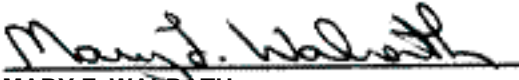
1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference from the United States District Court for the District of Delaware, dated February 29, 2012.
2. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
3. Venue of this proceeding and the Stay Extension Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
4. Notice of the Stay Extension Motion was appropriate and no other notice need be provided.

Upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Stay Extension Motion is DENIED for the reasons stated on the record in the Court’s ruling at the Hearing.
2. Defendants in the adversary proceeding are permitted to continue to prosecute the class action pending in the Delaware Court of Chancery captioned *In re Lordstown Motors Corp. Stockholders Litigation*, C.A. No. 2021-1066-LWW (the “Delaware Class Action”) against the defendants in the Delaware Class Action, the five former directors of DiamondPeak Holdings Corp., David Hamamoto, Mark Walsh, Andrew Richardson, Steven Hash, and Judith Hannaway.
3. Defendants in the adversary proceeding are permitted to continue to pursue discovery from Lordstown Motor Corp. (the “Company”) pursuant to the subpoena served on the Company in the Delaware Class Action.

4. This Order shall promptly be filed in the clerk's office and entered into the record.
5. This Court shall retain jurisdiction to enforce and interpret the provisions of this Order.

Dated: August 17th, 2023  
Wilmington, Delaware

  
MARY F. WALRATH  
UNITED STATES BANKRUPTCY JUDGE