

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

In re:

LORDSTOWN MOTORS CORP., *et al.*,<sup>1</sup>

Debtors.

Lordstown Motors Corp. and Lordstown EV  
Corporation,

Plaintiffs,

v.

Hon Hai Precision Industry Co., Ltd (a/k/a Hon  
Hai Technology Group), Foxconn EV  
Technology, Inc., Foxconn Ventures Pte. Ltd.,  
Foxconn (Far East) Limited, and Foxconn EV  
System LLC,

Defendants.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Adv. Pro. No. 23-50414 (MFW)

**ORDER APPROVING STIPULATION  
PERMITTING EQUITY COMMITTEE INTERVENTION**

This Court, having considered the *Stipulation Permitting Equity Committee Intervention* (the “Stipulation”) between the Equity Committee, Plaintiffs, and Defendants (the “Parties”), attached hereto as Exhibit 1; the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further notice of the Stipulation must be given;

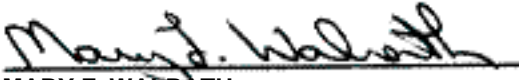
<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.



**IT IS HEREBY ORDERED THAT:**

1. The Stipulation is approved.
2. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

**Dated: November 8th, 2023**  
**Wilmington, Delaware**

  
**MARY F. WALRATH**  
**UNITED STATES BANKRUPTCY JUDGE**

**EXHIBIT 1**

**Stipulation**

**IN THE UNITED STATES BANKRUPTCY COURT  
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Technology, Inc., Foxconn Ventures Pte. Ltd.,  
Foxconn (Far East) Limited, and Foxconn EV  
System LLC,

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Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Adv. Pro. No. 23-50414 (MFW)

**STIPULATION PERMITTING EQUITY COMMITTEE INTERVENTION**

This *Stipulation* is made by and between the Official Committee of Equity Security Holders (the “Equity Committee”)<sup>2</sup>, appointed in the Chapter 11 cases of Lordstown Motors Corp. and its affiliates (the “Debtors” or the “Company”), and the above-captioned plaintiffs (the “Plaintiffs”), and the above captioned defendants (the “Defendants”; together with the Equity Committee and Plaintiffs, the “Parties”).

<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> The Committee consists of Crestline Management, L.P. (“Crestline”), Pertento Partners LLP (“Pertento”) and Esopus Creek Value Series Fund LP – Series “A” (“Esopus”). Only Crestline and Pertento are seeking the flexibility of the relief requested in the Motion. Committee Member Esopus does not intend to trade in the securities issued by the Debtors while serving as a Committee Member.

**RECITALS**

WHEREAS, on June 27, 2023 (the “Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), commencing the Debtors’ Chapter 11 cases;

WHEREAS, that same day, the Debtors commenced an adversary proceeding styled as *Lordstown Motors Corp. et al. v. Hon Hai Precision Indus. Co., Ltd (a/k/a Hon Hai Tech. Grp.)*, Adv. Pro. No. 23-50414 (MFW) (the “Adversary Proceeding”);

WHEREAS, on September 7, 2023, the United States Trustee appointed the Equity Committee. [Docket No. 375];

WHEREAS, by and through the Adversary Proceeding, Plaintiffs have asserted claims for breach of contract, common law fraud, tortious interference, and equitable subordination. Based upon the relief sought by Plaintiffs in the Adversary Proceeding, the Equity Committee’s constituents believe that they have a substantial and substantive interest in the outcome of the Adversary Proceeding;

WHEREAS, Defendants have moved to dismiss the Adversary Proceeding and to compel arbitration, and the motion is pending;

WHEREAS, the Equity Committee has the right to intervene in the Adversary Proceeding, pursuant to 11 U.S.C. § 1109(b), which grants the Equity Committee the right to appear and be heard on any issue arising in the Debtors’ Chapter 11 cases, including adversary proceedings.

WHEREAS, the Equity Committee has conferred with Plaintiffs and Defendants regarding the Equity Committee’s intervention. Each has stated that it does not oppose the Equity Committee’s intervention in the Adversary Proceeding.

NOW, THEREFORE, in consideration of the foregoing, the Parties hereto stipulate and agree, that:

**STIPULATION**

1. The foregoing Recitals are incorporated herein by reference.
2. Equity Committee shall have the right to intervene in the Adversary Proceeding.
3. This Stipulation is entered into without prejudice to Defendants' rights and defenses in the Adversary Proceeding, including without limitation Defendants' pending motion to dismiss the Adversary Proceeding.
4. The Equity Committee and Plaintiffs shall use reasonable efforts to minimize any duplication of briefing or other filings or submissions made or served in the Adversary Proceeding.
5. The Stipulation may be signed in counterparts, and that electronic signatures shall be deemed to have the force and effect of original signatures.
6. This Stipulation, and any order approving this Stipulation shall be binding on the Parties and each of their respective affiliates, successors, and assigns.

IN WITNESS WHEREOF, this Stipulation has been executed and delivered as of the day and year first below written.

Dated: November 6, 2023

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