IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
FULCRUM BIOENERGY, INC., *et al.*,	Case No. 24-12008 (TMH)
Debtors.[1]	(Jointly Administered)
	Obj. Deadline: November 6, 2025 at 4:00 p.m. (ET) **Hearing Date: November 13, 2025 at 10:00 a.m. (ET)**

THE LIQUIDATION TRUST'S MOTION FOR ENTRY OF AN ORDER EXTENDING THE CLAIM OBJECTION DEADLINE

The Fulcrum Liquidation Trust (the "Liquidation Trust") established pursuant to the confirmed *Second Amended Joint Chapter 11 Plan of Liquidation* [D.I. 548-1] (as amended, modified, or supplemented, the "Plan"),[2] by and through undersigned counsel, hereby files this motion (the "Motion") for the entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), (a) extending the deadline to object to claims by 180 days, from November 3, 2025 (the "Claim Objection Deadline")[3] through and including May 4, 2026, without prejudice to the rights of the Liquidation Trust to seek further extensions; and (b) granting related relief.[4] In support of the Motion, the Liquidation Trust respectfully represents as follows:

[1] The debtors and debtors in possession in these chapter 11 cases, along with each debtor's federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors' service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

[2] Capitalized terms used but not otherwise defined herein shall have their respective meanings ascribed to them in the Plan.

[3] Pursuant to Rule 9006-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), since this Motion was filed prior to the Claim Objection Deadline, the time is automatically extended until the Court acts on the Motion, without the necessity for the entry of a bridge order.

[4] The requested extension of 180 days falls on Saturday, May 2, 2026. Accordingly, pursuant to Rule 9006(a)(2) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), the extended deadline shall continue to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the District of Delaware (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. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The Liquidation Trust confirms its consent, pursuant to Bankruptcy Rule 7008 and Local Rule 9013-1(f), to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory and legal predicates for the relief requested herein is sections 105(a) and 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "Bankruptcy Code"), Bankruptcy Rule 9006 and Local Rules 9006-1 and 9006-2.

BACKGROUND

4. On September 9, 2024 (the "Petition Date"), the above captioned Debtors (the "Debtors") each filed a voluntary petition, thereby commencing the chapter 11 cases (the "Chapter 11 Cases") in the Court.

5. On September 13, 2024, the Court entered an order authorizing the Debtors to appoint Kurtzman Carson Consultants, LLC dba Verita Global ("Verita") as claims and noticing agent in the Chapter 11 Cases [D.I. 50] to, among other things, serve as the authorized repository for all proofs of claim filed in the cases and maintain the official claims register for the Debtors (the "Claims Register").

6. On September 19, 2024, each Debtor filed its Schedules of Assets and Liabilities (collectively, the "Schedules") and Statement of Financial Affairs, as may have been amended from time to time.[5]

7. On December 18, 2024, the Court entered the *Order (I) Establishing Certain Bar Dates for Filing Proofs of Claim Against the Debtors, and (II) Granting Related Relief, Including Notice and Filing Procedures* [D.I. 320] (the "Bar Date Order"), establishing, among other things, January 23, 2025, at 5:00 p.m. (prevailing eastern time) as the deadline for non-governmental entities to file pre-petition claims against the Debtors and their estates (the "General Bar Date") and March 10, 2025, at 5:00 p.m. (prevailing Eastern Time) as the deadline for governmental entities to file prepetition claims against the Debtors and their estates (together with the General Bar Date, the "Bar Dates"). Verita subsequently mailed the Bar Date Order, a notice of the Bar Dates, and proof of claim forms for all of the Debtors' creditors and other known parties in interest as of the Petition Date as set forth on the affidavits of services thereof [D.I. 329, 371, 399, 426, and 576] (the "Affidavits of Service").

8. On April 14, 2025, the Court entered the *Findings of Fact, Conclusions of Law and Order Confirming the Debtors' Second Amended Joint Chapter 11 Plan of Liquidation* [D.I. 550], confirming the Plan. The Plan became effective in accordance with its terms on May 5, 2025 (the "Effective Date") [D.I. 575]. Pursuant to the Plan and Confirmation Order, the deadline to object to claims in the Chapter 11 Cases is 180 days after the Effective Date, subject to extension by the Court.

9. The Plan provides for the creation of the Liquidation Trust to success to the rights and obligations of the Debtors as set forth in, and to facilitate the administration of, the Plan.

[5] The Schedules were amended on December 6, 2024 and April 3, 2025 [D.I. 303, 304, and 511].

Pursuant to the Plan and the Liquidation Trust Agreement annexed to the Plan, the Liquidation Trust was created, and Wilmington Savings Fund Society, FSB was appointed as trustee of the Liquidation Trust as of the Effective Date.

10. The Claims Register reflects that, as of the date of this Motion, 189 proofs of claim of varying priority levels, including general unsecured, secured and priority (collectively, the "Filed Claims"), have been filed in the Chapter 11 Cases. In addition, 368 claims were listed in the Schedules (collectively, the "Scheduled Claims" and together with the Filed Claims the "Claims"). The Creditor Trust and its advisors have commenced a diligent review of the Claims Register, including any supporting documents provided by the Claims, and the Debtors' books and records. While the Creditor Trust is working to determine which Claims may be objectionable, this process remains ongoing.

BASIS FOR RELIEF

11. Section 105 of the Bankruptcy Code provides that the "court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a).

12. Bankruptcy Rule 9006(b) permits the Court, in its discretion, to enlarge the Claim Objection Deadline for cause. Bankruptcy Rule 9006(b) provides:

> [W]hen an act is required or allowed to be done at or within a specified period by these rules or by a notice given thereunder or by order of court, the court for cause shown may at any time in its discretion … with or without motion or notice order the period enlarged if the request therefor is made before the expiration of the period originally prescribed or as extended by a previous order.

Fed R. Bankr. P. 9006(b)(1). Since the Claim Objection Deadline is currently November 3, 2025, this request to further extend the Claims Objection Bar Date complies with Bankruptcy Rule 9006(b)(1).

13. Although Bankruptcy Rule 9006 does not define "cause," it has been noted that "courts should be liberal in granting extensions of time sought before the period to act has elapsed, as long as the moving party has not been guilty of negligence or bad faith and the privilege of extensions has not been abused . . . ." 10 Collier on Bankruptcy (15th ed. rev. 2008 at 9006-14).

14. Since the Effective Date, to diligently and efficiently administer and wind-down the Debtors' estates, the Liquidation Trust and its advisors have continued to narrow the universe of claims subject to objection and properly categorize claims into omnibus and singular objections, review supporting documentation, and obtain a clearer view of the overall claims against the Debtors. The Liquidation Trust, however, needs additional time to complete its review of the Claims Register in this chapter 11 case – a task that has been complicated by the state of the Debtors' books and records. Additional time to review and effectively evaluate claims, prepare and prosecute objections to claims and, where possible, consensually resolve such claims, is in the best interest of the Liquidation Trust and the Debtors' estates.

15. In addition to the general unsecured claims reconciliation process, since the Effective Date, the Liquidation Trust has spent much of its time (i) addressing other administrative matters, (ii) gaining access to information necessary to prepare tax returns, wind down the Debtors' estates, and determine the full range of Liquidation Trust Assets, (iii) entering into and negotiating an agreement with a replacement claims and noticing agent (for cost purposes), a motion for which is forthcoming.

16. Given the substantial work being performed as set forth above, the Liquidation Trust seeks additional time to continue the claims reconciliation process. The Liquidation Trust submits that extending the Claim Objection Deadline is in the best interests of all stakeholders. The extension will afford the Liquidation Trust and its advisors an opportunity to make more fully

informed decisions concerning the resolution of any pending claims, in the interest of ensuring ratable distributions among, and maximizing value for, legitimate creditors of the Debtors' estates.

17. Furthermore, the requested extension of the Claim Objection Deadline is not sought coercively for the purposes of delay, nor will it affect or prejudice any claimant's substantive defense(s) to any objection. Rather, the extension is intended to promote the efficient administration of these Chapter 11 Case and the claims allowance process. Absent the requested extension of the Claim Objection Deadline, the Liquidation Trust will be prejudiced by losing an opportunity to resolve any remaining claims and wholly precluded from challenging invalid, satisfied, misclassified, and/or overstated general unsecured claims, among others.

18. Moreover, such relief is routinely granted in this District. *See, e.g., In re Mallinckrodt plc, et al.*, Case No. 20-12522 (JTD) (Bankr. D. Del. Aug. 16, 2023) [D.I. 8926] (extending the deadline to object to claims by 180 days); *In re Exide Holdings, Inc.*, Case No. 20-11157 (LSS) (Bankr. D. Del. Jan. 9, 2023) [D.I. 1935] (extending the deadline to object to claims by 120 days); *In re BBGI US, Inc.*, et al., Case No. 20- 11786 (CSS) (Bankr. D. Del. Nov. 18, 2021) [D.I. 1380]; (extending the deadline to object to claims by 180 days); *In re Vitamin OldCo Holdings, Inc. (f/k/a/ GNC Holdings Inc.), et al.*, Case No. 20-11662 (KBO) (Bankr. D. Del. Apr. 13, 2021) [D.I. 1855] (extending the deadline to object to claims by 180 days).

19. For the reasons set forth above, the Liquidation Trust submits that an extension of the Claim Objection Deadline requested herein is (i) reasonable and necessary under the circumstances, (ii) well within the range of extensions granted in comparable chapter 11 cases, and (iii) inures to the benefit of creditors and parties in interest. As such, the Liquidation Trust respectfully requests that the Court grant the proposed extension of the Claim Objection Deadline.

RESERVATION OF RIGHTS

20. The Liquidation Trust reserves the right to seek further extensions of the Claim Objection Deadline.

NOTICE

21. Notice of this Motion will be provided to (i) the Office of the United States Trustee for the District of Delaware, and (ii) all parties who, as of the filing of the Motion, have filed a renewed notice of appearance and request for service of papers pursuant to Bankruptcy Rule 2002. A copy of this Motion is also available on the Debtors' case website at https://www.veritaglobal.net/fulcrum. The Liquidation Trust submits that, in light of the nature of the relief requested herein, no other or further notice is required.

[*Remainder of page intentionally left Blank*]

WHEREFORE, the Liquidation Trust respectfully requests that this Court enter the Proposed Order: (i) extending the Claim Objection Deadline through and including May 4, 2026, without prejudice to the rights of the Liquidation Trust to seek further extensions; and (ii) granting such other and further relief as the Court may deem just and proper.

Dated: October 27, 2025

MORRIS JAMES LLP

/s/ Eric J. Monzo

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Counsel to the Fulcrum Liquidation Trust

EXHIBIT A

Proposed Order

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

In re:	Chapter 11
FULCRUM BIOENERGY, INC., *et al.*,	Case No. 24-12008 (TMH)
Debtors.[1]	(Jointly Administered)
	Re: Docket No. ___

ORDER EXTENDING THE CLAIM OBJECTION DEADLINE

Upon the motion (the "Motion")[2] of the Fulcrum Liquidation Trust (the "Liquidation Trust"), pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 9006, and the authority granted to the Liquidation Trust pursuant to the Plan and Confirmation Order, for an order extending the Claim Objection Deadline through and including May 4, 2026; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion and the relief requested being a core proceeding pursuant to 28 U.S.C. § 157(b); and due and proper notice of the Motion having been provided, and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Liquidation Trust, its beneficiaries, the Debtors' estates, and all parties in interest, and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

[1] The debtors and debtors in possession in these chapter 11 cases, along with each debtor's federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors' service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

[2] Capitalized terms not otherwise defined herein shall have the meaning ascribed in the Motion or, if not defined in the Motion, such meanings as ascribed to them in the Plan (as defined in the Motion).

1. The Motion is GRANTED as set forth herein;

2. The Claim Objection Deadline is hereby extended through and including May 4, 2026, without prejudice to the right of the Creditor Trust to seek further extensions of such deadline;

3. The Liquidation Trust is authorized to take all steps or actions necessary or appropriate to effectuate the relief granted pursuant to this Order.

4. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules are hereby satisfied by such notice.

5. Notwithstanding any Bankruptcy Rule or Local Rule that might otherwise delay the effectiveness of this Order, the terms and conditions of this Order shall be immediately enforceable upon its entry.

6. The Court shall retain exclusive jurisdiction with respect to all matters arising from or related to the interpretation, implementation, or enforcement of this Order.

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Debtors.[1]	(Jointly Administered)
	Obj. Deadline: November 6, 2025 at 4:00 p.m. (ET) **Hearing Date: November 13, 2025 at 10:00 a.m. (ET)**

NOTICE OF THE LIQUIDATION TRUST'S MOTION FOR ENTRY OF AN ORDER EXTENDING THE CLAIM OBJECTION DEADLINE

PLEASE TAKE NOTICE that on October 27, 2025, the Fulcrum Liquidation Trust (the "Liquidation Trust"), by and through its undersigned counsel, filed the *Liquidation Trust's Motion for Entry of an Order Extending the Claim Objection Deadline* (the "Motion") with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that responses, if any, to the Motion must be filed and received before **November 6, 2025, at 4:00 p.m. (ET) (the "Objection Deadline")** with the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. At the same time, you must serve a copy of the response on undersigned counsel on or before the Objection Deadline.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Motion will be held on **November 13, 2025, at 10:00 a.m. (ET)** before the Honorable Thomas M. Horan, United States Bankruptcy Judge for the District of Delaware, 824 North Market Street, Fifth Floor, Courtroom 5, Wilmington, Delaware 19801.

IF NO OBJECTIONS ARE TIMELY FILED, SERVED, AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN CONNECTION WITH SUCH PLEADINGS WITHOUT FURTHER NOTICE OR HEARING.

[*Signature Page to Follow*]

[1] The debtors and debtors in possession in these chapter 11 cases, along with each debtor's federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors' service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

Dated: October 27, 2025

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/s/ Eric J. Monzo

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IN THE UNITED STATES BANKRUPTCY COURT
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In re:	Chapter 11
FULCRUM BIOENERGY, INC., *et al.*,	Case No. 24-12008 (TMH)
Debtors.[1]	(Jointly Administered)

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of October, 2025, I caused to be filed with the Court electronically, and I caused to be served a true and correct copy of *The Liquidation Trust's Motion for Entry of an Order Extending the Claim Objection Deadline* upon the parties that are registered to receive notice via the Court's CM/ECF notification system and additional service was completed by electronic mail on the parties indicated on the attached service list.

/s/ Eric J. Monzo
Eric J. Monzo (DE Bar No. 5214)

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