## Entered on Docket October 29, 2024

Below is the Order of the Court.



Timothy W. Dore U.S. Bankruptcy Court

(Dated as of Entered on Docket date above)

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In re

VICINITY MOTOR CORP., et al., 1

Debtors in a Foreign Proceeding.

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WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES BANKRUPTCY COURT

Lead Case No. 24-12675-TWD

Jointly Administered with:

Case No. 24-12677;

Case No. 24-12678; and

Case No. 24-12679

ORDER APPROVING NOTICE OF CHAPTER 15 PETITION AND SCHEDULING RECOGNITION HEARING

This matter came before the Court on the *Ex Parte Motion to Approve Notice of Chapter 15 Petition and Schedule Recognition Hearing* (the "Motion")<sup>2</sup> filed by FTI Consulting Canada Inc., in its capacity as the receiver (the "Receiver") appointed in the Canadian insolvency proceeding of Vicinity Motor Corp., Vicinity Motor (Bus) Corp., Vicinity Motor (Bus) USA Corp., and Vicinity Motor Property, LLC (collectively, the "Debtors"), *In the Matter of the Receivership* 

ORDER APPROVING NOTICE OF CHAPTER 15 PETITION AND SCHEDULING RECOGNITION HEARING - 1

LANE POWELL PC 1420 FIFTH AVENUE, SUITE 4200 P.O. BOX 91302 SEATTLE, WASHINGTON 98111-9402 206.223.7000 FAX: 206.223.7107

<sup>&</sup>lt;sup>1</sup> The Debtors are Vicinity Motor Corp., Bankruptcy Case No. 24-12675, Vicinity Motor (Bus) Corp., Bankruptcy Case No. 24-12677, Vicinity Motor (Bus) USA Corp., Bankruptcy Case No. 24-12678, and Vicinity Motor Property, LLC, Bankruptcy Case No. 24-12679.

<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not defined in the Order shall have the meaning set forth in the Motion.

- 1 of Vicinity Motor (Bus) Corp., et al., Supreme Court of British Columbia Case No. S-247082 (the
- 2 "Canadian Proceeding"), for entry of an order pursuant to 11 U.S.C. §§ 105(a) and 1517(c), Federal
- Rules of Bankruptcy Procedure 2002 and 9007, and Local Bankruptcy Rule 2002-1(b)(6)
- 4 scheduling the Recognition Hearing and specifying the form and manner of service of the
- 5 Recognition Hearing Notice, all as more fully described in the Motion; and this Court having
- 6 jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334; and consideration of the Motion
- and the relief requested therein being a core proceeding under 28 U.S.C. § 157(b)(2)(P); and a
- 8 hearing having been held to consider the relief requested in the Motion; and upon the Powell
- 9 Declaration filed concurrently with the Motion; and after due deliberation and good and sufficient
- cause appearing for approval of the Motion; now, therefore, it is hereby ORDERED:
- 1. The Motion is GRANTED;
- 12 2. The Court will hold a hearing on the relief requested by the Petition, including
- 13 recognition of the Canadian Proceeding as a foreign main proceeding, before the Honorable
- 14 Timothy W. Dore, on **November 26, 2024, at 10:00 a.m.** (prevailing Pacific Time), at Courtroom
- 15 8106 (the "Recognition Hearing").
- The Recognition Hearing Notice substantially in the form attached hereto as
- 17 <u>Attachment 1</u> is hereby APPROVED;
- 18 4. By November 1, 2024, the Receiver shall serve or cause to be served on the Notice
- 19 Parties by mail copies of the Recognition Hearing Notice, along with copies of the Petition
- 20 (including proposed Recognition Order) and any Order Granting Provisional Relief;
- 5. Service of the Recognition Hearing Notice in accordance with this Order is
- approved as adequate and sufficient notice on all interested parties under the Bankruptcy Code,
- and the Federal and Local Rules of Bankruptcy Procedure (together, the "Bankruptcy Rules").
- Except as otherwise ordered by the Court, the Receiver shall serve, or cause to be
- served, all papers filed by the Receiver in these Chapter 15 cases, for which notice or service is
- 26 required by Court order, the Bankruptcy Code, or the Bankruptcy Rules, on the Master Service
- 27 List by mail.

1	7. Responses or objections to the Petition and the relief requested therein, including
2	recognition of the Canadian Proceeding as a foreign main proceeding, must (i) be in writing, (ii)
3	detail the factual and legal basis for the response or objection, (iii) comply with the Bankruptcy
4	Code and the Bankruptcy Rules, (iv) be filed with the Court Clerk, 700 Stewart Street, Suite 6301,
5	Seattle, WA 98101, and (v) served by November 19, 2024 upon the following: (A) U.S. counsel
6	for the Receiver, Lane Powell PC, 1420 Fifth Avenue, Suite 4200, Seattle, WA 98101, Attention:
7	Gregory R. Fox (foxg@lanepowell.com); and James B. Zack (zackj@lanepowell.com); (B)
8	Canadian counsel for the Receiver, Fasken Martineau DuMoulin LLC, 550 Burrard Street, Suite
9	2900, Vancouver, British Columbia V6C 0A3, Canada, Attention: Lisa Hiebert
10	(lhiebert@fasken.com); and Kibben Jackson (kjackson@fasken.com); and (C) the Receiver, FTI
11	Consulting Canada Inc., 701 West Georgia Street, Suite 1450, PO Box 10089, Vancouver, British
12	Columbia V7Y 1B6, Canada, Attention: Tom Powell (tom.powell@fticonsulting.com).
13	8. All notice requirements specified in 11 U.S.C. § 1514(c), except as may be set forth
14	herein, are hereby waived or otherwise deemed inapplicable to these cases.
15	9. The terms and conditions of this Order shall be immediately effective and
16	enforceable upon its entry.
17	10. The Receiver is authorized to take all actions and incur or pay all costs or expenses
18	necessary to effectuate the relief granted under this Order in accordance with the Motion.
19	/// END OF ORDER ///
20	Presented by:
21	LANE POWELL PC
22	By: /s/ James B. Zack Gregory R. Fox, WSBA No. 30559
23	James B. Zack, WSBA No. 48122 Attorneys for FTI Consulting Canada Inc., Foreign Representative
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