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9

HONORABLE TIMOTHY W. DORE  
Chapter 15  
Ex Parte

10 UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

12 In re  
13 VICINITY MOTOR CORP., *et al.*,<sup>1</sup>  
14 Debtors in a Foreign Proceeding.

Lead Case No. 24-12675-TWD

*Jointly Administered with:*  
Case No. 24-12677-TWD;  
Case No. 24-12678-TWD; and  
Case No. 24-12679-TWD

**MOTION TO SHORTEN TIME RE  
ORDER AND SALE OF CERTAIN  
ASSETS FREE AND CLEAR OF  
LIENS, CLAIMS, ENCUMBRANCES,  
AND OTHER INTERESTS**

19 **I. INTRODUCTION & RELIEF REQUESTED**

20 FTI Consulting Canada Inc., in its capacity as the receiver (the “Receiver”) appointed in  
21 the Canadian insolvency proceeding of Vicinity Motor Corp., Vicinity Motor (Bus) Corp., Vicinity  
22 Motor (Bus) USA Corp., and Vicinity Motor Property, LLC (collectively, the “Debtors”), *In the*  
23 *Matter of the Receivership of Vicinity Motor (Bus) Corp., et al.*, Supreme Court of British  
24 Columbia

25 \_\_\_\_\_  
26 <sup>1</sup> The Debtors are Vicinity Motor Corp., Bankruptcy Case No. 24-12675, Vicinity Motor (Bus)  
27 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.

MOTION TO SHORTEN TIME - 1

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1 entered an *Order Recognizing Foreign Main Proceeding and Granting Related Relief* (the  
2 “Recognition Order”). ECF No. 36.

3 **B. The Assets, the Marketing Process, and the Auction Services Agreement.**

4 In January 2025, the Receiver began a marketing process (the “Marketing Process”) to  
5 solicit *en bloc* and piecemeal offers for approximately 290 electric vehicles, intellectual property,  
6 and other miscellaneous assets across four locations (collectively, the “Assets”).<sup>2</sup> Powell Decl. II,  
7 Ex. 1 at pp. 7-9. The marketed Assets include substantially all of the Debtors’ personal property  
8 assets, including the Electric Vehicles, but the marketed Assets exclude the Debtors’ real property  
9 assets, *i.e.* the Ferndale Facility, which the Receiver remains in the process of marketing and  
10 selling separately.

11 The Receiver is aware of two non-debtor entities that hold security interests in the Assets:  
12 Royal Bank of Canada (“RBC”), and Economic Development Canada (“EDC”). Powell Decl. II  
13 at ¶ 5.

14 The Receiver, in consultation with RBC in its capacity as the Debtors’ senior secured  
15 creditor, evaluated the offers received through the Marketing Process and concluded that the bid  
16 from auctioneer McDougall Auctioneers Ltd. (the “Auctioneer”) was the superior offer, and  
17 entered into the Auction Services Agreement dated April 3, 2025 (the “Auction Services  
18 Agreement”). Powell Decl. II, Ex. 1 at p. 9.

19 The Auction Services Agreement provides for the Auctioneer to conduct an unreserved  
20 online timed auction sale on May 15 and 16, 2025, or such later date as the parties agree, and for  
21 the Auctioneer to strategically catalogue the Assets to enhance the opportunity of extracting their  
22 maximum value and conduct an advertising campaign in the weeks prior to the auction. Powell  
23 Decl. II, Ex. 1 at pp. 9-10; *id.* Ex. 1.B (Auction Services Agreement).

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26 <sup>2</sup> The subject Assets are specifically identified in “Schedule A” to the Auction Services Agreement.  
27 See Powell Decl. II, Ex. 1.B, Sch. A.

1 Moreover, the Receiver anticipates that the Vesting Order will be entered in the Canadian  
2 Proceeding on or soon after the April 22, 2025 hearing on the Application. Upon entry of the  
3 Vesting Order, the Receiver intends to supplement the record in support of the Sale Motion with  
4 an official version of the Vesting Order.

5 The Receiver proposes a response deadline of April 22, 2025, because that will (i) only  
6 shorten the ordinary 14-day response period by 3 days, and (ii) ensure that any responses to the  
7 Application in the Canadian Proceeding will have already been addressed by the Canadian Court  
8 at its own hearing on April 22, 2025.

9 **VI. NOTICE**

10 On April 11, 2025, pursuant to Local Rule W.D. Wash. Bankr. 9013-1(d)(3)(C), the  
11 Receiver's counsel provided notice by email to counsel for the two entities that hold security  
12 interests in the Assets (RBC and EDC), and counsel for the United States Trustee, of the Receiver's  
13 intent to move to shorten time on the Sale Motion hearing to April 25, 2025. Other interested  
14 parties will receive mail and ECF notice of the Sale Motion, as more fully described in the Sale  
15 Motion and proposed order attached thereto.

16 Additionally, interested parties in the Canadian Proceeding received notice of the  
17 Application, which seeks analogous relief to the Sale Motion in this Bankruptcy proceeding, as  
18 more fully set forth in the "service list" attached to the Application. *See* Powell Decl. II, Ex. 2,  
19 Sch. A.

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MOTION TO SHORTEN TIME - 5

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# **EXHIBIT A**

1 Vicinity Motor Property, LLC (collectively, the “Debtors”), *In the Matter of the Receivership of*  
2 *Vicinity Motor (Bus) Corp., et al.*, Supreme Court of British Columbia, Vancouver Registry No.  
3 S-247082 (the “Canadian Proceeding”), pursuant to Local Bankruptcy Rule 9013-1(d)(3) and Fed.  
4 R. Bankr. P. 9006(c), for an order shortening time for hearing (the “Motion to Shorten Time”) on  
5 the Receiver’s *Motion to Approve Vesting Order and Sale of Certain Assets Free and Clear of*  
6 *Liens, Claims, Encumbrances, and Other Interests* (the “Sale Motion”).<sup>2</sup> The Court having  
7 considered the Motion to Shorten Time, as well as the underlying Sale Motion, and having  
8 determined that good cause exists for shortening time for hearing on the Sale Motion, now,  
9 therefore, it is hereby

10 ORDERED that the Motion to Shorten Time is hereby GRANTED. It is further

11 ORDERED that the time for hearing on the Sale Motion is hereby shortened such that the  
12 hearing thereon shall be held Friday, April 25, 2025, at 9:30 a.m., with written responses, if any,  
13 due on Tuesday, April 22, 2025, and replies, if necessary, due at the time of the hearing.

14 /// END OF ORDER ///

15 Presented by:

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27 <sup>2</sup> Capitalized terms used but not defined in this Order have the meaning set forth in the Sale Motion.