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HONORABLE CHRISTOPHER M. ALSTON  
Chapter 15  
*Ex Parte*

6 Attorneys for FTI Consulting Canada Inc.,  
Foreign Representative  
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10 UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE

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

Lead Case No. 24-12675

*Joint Administration Motion Pending with:*  
Case No. 24-12677;  
Case No. 24-12678; and  
Case No. 24-12679

**EX PARTE MOTION TO APPROVE  
NOTICE OF CHAPTER 15 PETITION  
AND SCHEDULE RECOGNITION  
HEARING**

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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, Vancouver Registry No. S-247082 (the “Canadian Proceeding”), by and through its

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.

1 counsel, Lane Powell PC, respectfully moves for entry of the Receiver’s proposed order attached  
2 hereto as Exhibit A (the “Proposed Order”) approving the Receiver’s proposed notice attached  
3 here as Exhibit B (the “Recognition Hearing Notice”) to provide notice of the Receiver’s  
4 commencement of these Chapter 15 cases and the hearing on the Official Form 401 *Chapter 15*  
5 *Petition for Recognition of a Foreign Proceeding* (ECF No. 1) and *Verified Petition for*  
6 *Recognition of Foreign Main Proceeding and Related Relief* (ECF No. 3) (together, the “Petition”)   
7 filed by the Receiver, seeking Chapter 15 recognition of the Canadian Proceeding as a foreign  
8 main proceeding and related relief requested in the Petition to preserve and administer the Debtors’  
9 assets located in the United States.

10 **II. JURISDICTION & VENUE**

11 This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(a) and (b) and  
12 1334(a) and (b).

13 This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P), and the Court may enter a  
14 final order in respect of it under Article III of the United States Constitution.

15 Venue is proper in this District pursuant to 28 U.S.C. § 1410(1) because the Debtors’  
16 principal assets in the United States are located in Ferndale, Washington. Alternatively, venue is  
17 proper in this District pursuant to 28 U.S.C. § 1410(3) because venue here will be consistent with  
18 the interests of justice and the convenience of the parties, having regard to the relief sought by the  
19 Receiver.

20 The Debtors are eligible to be debtors under Chapter 15 pursuant to 11 U.S.C. §§ 109(a)  
21 and 1501(b) because the Debtors have real and personal property in the United States, and the  
22 Receiver is a foreign representative for the Debtors seeking assistance in the United States in  
23 connection with a foreign proceeding.

24 This Chapter 15 case was properly commenced pursuant to 11 U.S.C. §§ 1504 and 1509(a)  
25 by the Receiver filing the Petition, applying to this Court pursuant to 11 U.S.C. § 1515 for  
26 recognition of the Canadian Proceeding as a foreign main proceeding pursuant to 11 U.S.C. §  
27 1517(b)(1).

1 The statutory predicates for the relief requested herein are 11 U.S.C. §§ 105(a), 1514, 1515,  
2 1517, Federal Rules of Bankruptcy Procedure 2002 and 9007, and Local Rule of Bankruptcy  
3 Procedure 2002-1(b)(6).

### 4 **III. STATEMENT OF FACTS**

5 On October 21, 2024, in the Canadian Proceeding, the Debtors were placed into a  
6 receivership proceeding under Section 243(1) of Canada’s *Bankruptcy and Insolvency Act*, R.S.C.  
7 1985, c. B-3, as amended (the “BIA”) and Section 39 of Canada’s *Law and Equity Act*, R.S.B.C.  
8 1996 c. 253, as amended (the “LEA”), and the Receiver was appointed by the Supreme Court of  
9 British Columbia to administer the Debtors’ estates pursuant to the BIA and LEA. *See* ECF No.  
10 1, Attachment No. 1 (the “Receiver Order”). The Debtors’ management and operations are  
11 directed from and located in Canada, along with some of the Debtors’ assets; however, the Debtors  
12 also own valuable assets located in the United States, including real and personal property in  
13 Washington. Powell Decl. ¶ 6.

14 On October 24, 2024, in this Court, the Receiver filed the Petition, seeking Chapter 15  
15 recognition of the Canadian Proceeding as a foreign main proceeding pursuant to 11 U.S.C. §§  
16 1515 and 1517, and requested certain provisional and related relief pursuant to 11 U.S.C. §§ 1519  
17 and 1521, to preserve and administer the Debtors’ assets located in the United States. *See* ECF  
18 Nos. 1 and 3 (Petition and proposed recognitions order); ECF No. 4 (motion for provisional relief).

19 In furtherance of the Petition, the Receiver now requests that the Court (i) approve its  
20 proposed Recognition Hearing Notice and manner of service, (ii) schedule a hearing for the Court  
21 to consider the Petition and set procedures for objecting to the Petition, (iii) approve a master  
22 service list and manner of future service, and (iv) waive compliance with 11 U.S.C. § 1514(c)  
23 because the Receiver is not presently conducting a claim process through this Chapter 15 case.

### 24 **IV. STATEMENT OF ISSUES**

25 Whether the Court should (i) approve the Receiver’s proposed Recognition Hearing Notice  
26 and manner of service, (ii) schedule a hearing for the Court to consider the Petition and set  
27 procedures for objecting to the Petition, (iii) approve the Receiver’s proposed master service list

1 and manner of future service, and (iv) waive compliance with 11 U.S.C. § 1514(c).

2 **V. EVIDENCE RELIED UPON**

3 This *Motion to Approve Notice of Chapter 15 Petition and Schedule Recognition Hearing*  
4 (this “Motion”) relies upon the Petition and attachments thereto (ECF Nos. 1 and 3), the  
5 Declaration of Tom Powell and exhibits thereto (“Powell Decl.”) filed concurrently herewith, the  
6 Proposed Order attached hereto as Exhibit A, the proposed form of Recognition Hearing Notice  
7 attached hereto as Exhibit B, and the other papers and pleadings on file in this matter.

8 **VI. RECEIVER’S PROPOSED ORDER AND NOTICE**

9 The Receiver’s Proposed Order attached hereto as Exhibit A provides the following relief,  
10 which is necessary for the Receiver to ensure that it satisfies the notice requirements related to  
11 commencing this Chapter 15 case and obtaining recognition of the Canadian Proceeding as a  
12 foreign main proceeding; and to schedule a hearing for the Petition to be “decided upon at the  
13 earliest possible time” as required under 11 U.S.C. § 1517(c) (the “Recognition Hearing”):

- 14 1. Approving the Receiver’s Recognition Hearing Notice attached hereto as  
15 Exhibit B, and proposed manner of service, to provide parties in interest  
16 with:
- 17 a. Notice of the Receiver’s filing of the Petition seeking Chapter 15  
18 recognition of the Canadian Proceeding.
  - 19 b. Copies of the Official Form 401 *Chapter 15 Petition for Recognition*  
20 *of a Foreign Proceeding* and attachments thereto (ECF No. 1) and  
21 the *Verified Petition for Recognition of Foreign Main Proceed and*  
22 *Related Relief* and proposed order attached thereto (ECF No. 3);
  - 23 c. Notice of the Court’s entry of an Order Granting Provisional Relief,  
24 if any, granting provisional relief pursuant to 11 U.S.C. § 1519 while  
25 recognition of the Canadian Proceeding is pending, as requested in  
26 the Receiver’s *Motion for Provisional Relief* filed concurrently  
27 herewith; and a copy of any order granting provisional relief; and
  - d. Notice of the date, time, and location of the Recognition Hearing,  
and the deadline to object to the relief requested in the Petition;
2. Scheduling the Recognition Hearing for the Court to consider the relief  
requested in the Petition, including recognition of the Canadian Proceeding

1 as a foreign main proceeding and related relief;

2 3. Approving the manner of service on the Master Service List (defined below)  
3 of any papers that the Receiver files and is required to serve in this Chapter  
4 15 case; and

5 4. Granting related relief, including waiving compliance with 11 U.S.C. §  
6 1514(c) because the Receiver is not presently conducting a claim process  
7 through this Chapter 15 case.

## 8 VII. LEGAL ANALYSIS

### 9 A. Approving the Recognition Hearing Notice Form and Manner of Service.

10 Federal Rule of Bankruptcy Procedure 2002(q)(1) (“Rule 2002(q)(1)”) requires “at least  
11 21 days’ notice by mail of the hearing” on a petition for recognition of a foreign proceeding to:

12 the debtor, all persons or bodies authorized to administer foreign proceedings of the  
13 debtor, all entities against whom provisional relief is being sought under § 1519 of  
14 the Bankruptcy Code, all parties to litigation pending in the United States in which  
15 the debtor is a party at the time of the filing of the petition, and such other entities  
16 as the court may direct.

17 Fed. R. Bankr. P. 2002(q)(1). The Rule 2002(q)(1) notice also is required to state whether the  
18 petition seeks recognition as a foreign main proceeding or foreign nonmain proceeding, and  
19 include any other document that the Court may require. *See id.*

20 In this district, the clerk of court (“Court Clerk”) provides the Rule 2002(q)(1) notice. LBR  
21 2002-1(b)(6). Therefore, the Receiver respectfully requests that the Court order the Court Clerk  
22 to mail the Recognition Hearing Notice and copies of the Petition, including proposed recognition  
23 order (the “Recognition Order”), within five (5) business days of entry of the Proposed Order, or  
24 as soon thereafter as is reasonably practicable, to the following parties or their counsel (if known)  
25 (collectively, the “Notice Parties”): (i) the Debtors; (ii) all persons or bodies authorized to  
26 administer foreign proceedings of the Debtors; (iii) all entities against whom provisional relief is  
27 being sought under 11 U.S.C. § 1519, including all known creditors and contract-counterparties of  
the Debtors in the United States; (iv) all parties to litigation pending in the United States to which  
any of the Debtors is a party at the time of the filing of the Petition; (v) the Office of the United

1 States Trustee for the Western District of Washington, and; (vi) all other parties who have  
2 requested notice in these cases as of the date of such service.

3 The Receiver's proposed form of Recognition Hearing Notice, and the proposed manner  
4 of mailing the Petition, Recognition Hearing Notice, and related pleadings, should be approved  
5 because they meet the requirements of Rule 2002(q)(1) and LBR 2002-1(b)(6). The proposed  
6 Notice Parties comprise all of the parties required to be served under Rule 2002(q)(1), and the  
7 Receiver intends for such parties to receive at least 21 days' notice by mail of the Recognition  
8 Hearing as required by the rule, or such other shortened notice as approved by the Court. The  
9 Recognition Hearing Notice further satisfies Rule 2002(q)(1) by stating that the Receiver is  
10 seeking recognition of the Canadian Proceeding as a foreign main proceeding, and by including  
11 copies of the primary pleadings related thereto, including the Petition and proposed recognition  
12 order, notice and copies of any Order Granting Provisional Relief, and notice of the Recognition  
13 Hearing and related deadlines.

14 The Receiver's proposed form of Recognition Hearing Notice, and the Receiver's proposed  
15 manner and timing of service, comply with and satisfy the requirements of Rule 2002(q)(1) and  
16 LBR 2002-1(b)(6), and should be approved.

17 **B. Scheduling the Recognition Hearing and Deadline to Object to the Petition.**

18 The Receiver requests that the Recognition Hearing be set no later than the week of  
19 November 25, 2024, or such other date that meets the needs of these cases and the Court.  
20 Scheduling the Recognition Hearing no later than the week of November 25, 2024, is consistent  
21 with Rule 2002(q)(1) because it provides sufficient time for the Court Clerk to complete the  
22 mailing described herein and ensures that the Notice Parties will receive at least 21 days' notice  
23 by mail as required by the rule; *see also* 11 U.S.C. § 1517(c) ("A petition for recognition of a  
24 foreign proceeding shall be decided upon at the earliest possible time.")

25 The Receiver also requests that the Court require that objections or responses, if any, to the  
26 Petition, recognition of the Canadian Proceeding as a foreign main proceeding, or to any of the  
27 other relief requested in the Petition, (i) be in writing, (ii) detail the factual and legal basis for the

1 response or objection, (iii) comply with the Bankruptcy Code, the Bankruptcy Rules, and the Local  
2 Rules of Bankruptcy Procedure, (iv) be filed with the Court Clerk, 700 Stewart Street, Suite 6301,  
3 Seattle, WA 98101, and (v) served by the date set in accordance with Local Bankruptcy Rule 9013-  
4 1(d)(8) upon the following: (A) U.S. counsel for the Receiver, Lane Powell PC, 1420 Fifth Avenue,  
5 Suite 4200, Seattle, WA 98101, Attention: Gregory R. Fox (foxg@lanepowell.com); and James  
6 B. Zack (zackj@lanepowell.com); (B) Canadian counsel for the Receiver, Fasken Martineau  
7 DuMoulin LLC, 550 Burrard Street, Suite 2900, Vancouver, British Columbia V6C 0A3, Canada,  
8 Attention: Lisa Hiebert (lhiebert@fasken.com); and Kibben Jackson (kjackson@fasken.com); and  
9 (C) the Receiver, FTI Consulting Canada Inc., 701 West Georgia Street, Suite 1450, PO Box  
10 10089, Vancouver, British Columbia V7Y 1B6, Canada, Attention: Tom Powell  
11 (tom.powell@fticonsulting.com).

12 **C. Approving the Master Service List and Manner of Future Service.**

13 Federal Rules of Bankruptcy Procedure 2002(m) and 9007 provide that when notice is to  
14 be given, the Court may enter orders designating the form and manner in which such notice shall  
15 be given. Fed. R. Bankr. P. 2002(m) and 9007. Further, 11 U.S.C. § 105(a) provides the Court  
16 with the power to grant the relief requested herein by the Receiver. *See* 11 U.S.C. § 105(a) (stating  
17 that a bankruptcy court “may issue any order, process, or judgment that is necessary or appropriate  
18 to carry out the provisions of the [Bankruptcy Code]”); *see also* 11 U.S.C. 103(a) (Chapter 1 is  
19 applicable in a case under Chapter 15).

20 The Receiver proposes that, where it is required to serve papers it files in this Chapter 15  
21 case in the future, it be permitted to do so by mail on: (i) the Notice Parties; (ii) any party that has  
22 entered an appearance or requested notice in this Chapter 15 case; and (iii) to the extent applicable,  
23 any party whose rights are affected by the relief requested (collectively, the “Master Service List”).

24 Approving service by mail on the Master Service List for future pleadings filed in this  
25 Chapter 15 case is an efficient, effective, and predictable method for providing notice to the  
26 primary parties in interest. To the extent such parties exist or are applicable in this Chapter 15  
27 case, they will be included in the Master Service List.

1 **D. Waiving Compliance with 11 U.S.C. § 1514(c).**

2 To the extent that it may apply to this case, the Receiver requests that the Court waive  
3 compliance with 11 U.S.C. § 1514(c), which requires service of notices of the deadlines to file  
4 proofs of claim on foreign creditors.<sup>2</sup> The Receiver is not presently conducting a claim process  
5 through these Chapter 15 cases; therefore, the Receiver’s proposed form of Recognition Hearing  
6 Notice does not include any claims-related notice, deadlines, or information.

7 **VIII. EX PARTE RELIEF**

8 The Receiver requests that the Court grant this Motion without notice to creditors. Upon  
9 entry of an order granting this Motion, the Court Clerk will serve the approved form of Recognition  
10 Hearing Notice in accordance with the procedures set forth in this Motion and approved by the  
11 Court. In light of the nature of the relief requested in the Motion, and the notice rules applicable  
12 to Chapter 15 cases, additional notice should not be required.

13 **IX. CONCLUSION**

14 For these reasons, the Receiver respectfully requests that the Court enter the Receiver’s  
15 Proposed Order attached hereto as Exhibit A, approving the proposed Recognition Hearing Notice  
16 attached hereto as Exhibit B, scheduling a hearing for the Court to consider the Petition, and  
17 granting related relief.

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25 <sup>2</sup> See 11 U.S.C. § 1514(c) (“When a notification of commencement of a case is to be given to  
26 foreign creditors, such notification shall— (1) indicate the time period for filing proofs of claim  
27 and specify the place for filing such proofs of claim; (2) indicate whether secured creditors need  
to file proofs of claim; and (3) contain any other information required to be included in such  
notification to creditors under this title and the orders of the court.”)



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DATED: October 24, 2024

LANE POWELL PC

By: /s/ James B. Zack  
Gregory R. Fox, WSBA No. 30559  
James B. Zack, WSBA No. 48122  
Attorneys for FTI Consulting Canada Inc.,  
Foreign Representative

# EXHIBIT A

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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

Lead Case No. 24-12675

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

**[PROPOSED]  
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.,

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

1 and Vicinity Motor Property, LLC (collectively, the “Debtors”), *In the Matter of the Receivership*  
2 *of Vicinity Motor (Bus) Corp., et al.*, Supreme Court of British Columbia Case No. S-247082 (the  
3 “Canadian Proceeding”), for entry of an order pursuant to 11 U.S.C. §§ 105(a) and 1517(c), Federal  
4 Rules of Bankruptcy Procedure 2002 and 9007, and Local Bankruptcy Rule 2002-1(b)(6)  
5 scheduling the Recognition Hearing and specifying the form and manner of service of the  
6 Recognition Hearing Notice, all as more fully described in the Motion; and this Court having  
7 jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334; and consideration of the Motion  
8 and the relief requested therein being a core proceeding under 28 U.S.C. § 157(b)(2)(P); and a  
9 hearing having been held to consider the relief requested in the Motion; and upon the Powell  
10 Declaration filed concurrently with the Motion; and after due deliberation and good and sufficient  
11 cause appearing for approval of the Motion; now, therefore, it is hereby ORDERED:

12 1. The Motion is GRANTED;

13 2. The Court will hold a hearing on the relief requested by the Petition, including  
14 recognition of the Canadian Proceeding as a foreign main proceeding, before the Honorable  
15 Christopher M. Alston, on November \_\_, 2024, at \_\_\_\_\_ a.m./p.m. (prevailing  
16 Pacific Time), at/by \_\_\_\_\_ (the “Recognition Hearing”).

17 3. The Recognition Hearing Notice substantially in the form attached hereto as  
18 Attachment 1 is hereby APPROVED;

19 4. Within five (5) days of entry of this Order, the Court Clerk shall serve or cause to  
20 be served on the Notice Parties by mail copies of the Recognition Hearing Notice, along with  
21 copies of the Petition (including proposed Recognition Order) and any Order Granting Provisional  
22 Relief;

23 5. Service of the Recognition Hearing Notice in accordance with this Order is  
24 approved as adequate and sufficient notice on all interested parties under the Bankruptcy Code,  
25 and the Federal and Local Rules of Bankruptcy Procedure (together, the “Bankruptcy Rules”).

26 6. Except as otherwise ordered by the Court, the Receiver shall serve, or cause to be  
27 served, all papers filed by the Receiver in these Chapter 15 cases, for which notice or service is

1 required by Court order, the Bankruptcy Code, or the Bankruptcy Rules, on the Master Service  
2 List by mail.

3 7. Responses or objections to the Petition and the relief requested therein, including  
4 recognition of the Canadian Proceeding as a foreign main proceeding, must (i) be in writing, (ii)  
5 detail the factual and legal basis for the response or objection, (iii) comply with the Bankruptcy  
6 Code and the Bankruptcy Rules, (iv) be filed with the Court Clerk, 700 Stewart Street, Suite 6301,  
7 Seattle, WA 98101, and (v) served by the date set in accordance with Local Bankruptcy Rule 9013-  
8 1(d)(8) upon the following: (A) U.S. counsel for the Receiver, Lane Powell PC, 1420 Fifth Avenue,  
9 Suite 4200, Seattle, WA 98101, Attention: Gregory R. Fox (foxg@lanepowell.com); and James  
10 B. Zack (zackj@lanepowell.com); (B) Canadian counsel for the Receiver, Fasken Martineau  
11 DuMoulin LLC, 550 Burrard Street, Suite 2900, Vancouver, British Columbia V6C 0A3, Canada,  
12 Attention: Lisa Hiebert (lhiebert@fasken.com); and Kibben Jackson (kjackson@fasken.com); and  
13 (C) the Receiver, FTI Consulting Canada Inc., 701 West Georgia Street, Suite 1450, PO Box  
14 10089, Vancouver, British Columbia V7Y 1B6, Canada, Attention: Tom Powell  
15 (tom.powell@fticonsulting.com).

16 8. All notice requirements specified in 11 U.S.C. § 1514(c), except as may be set forth  
17 herein, are hereby waived or otherwise deemed inapplicable to these cases.

18 9. The terms and conditions of this Order shall be immediately effective and  
19 enforceable upon its entry.

20 10. The Receiver is authorized to take all actions and incur or pay all costs or expenses  
21 necessary to effectuate the relief granted under this Order in accordance with the Motion.

22 /// END OF ORDER ///

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1 Presented by:

2 LANE POWELL PC

3 By: /s/ James B. Zack

4 Gregory R. Fox, WSBA No. 30559

5 James B. Zack, WSBA No. 48122

6 Attorneys for FTI Consulting Canada Inc.,

7 Foreign Representative

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# **EXHIBIT B**

1 Gregory R. Fox, WSBA No. 30559  
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2 James B. Zack, WSBA No. 48122  
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HONORABLE CHRISTOPHER M. ALSTON  
Chapter 15

6 Attorneys for FTI Consulting Canada Inc.,  
Foreign Representative  
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10 UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE

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

Lead Case No. 24-12675

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

16 **[PROPOSED]**  
17 **NOTICE OF CHAPTER 15 PETITION**  
18 **AND RECOGNITION HEARING**

19 **PLEASE TAKE NOTICE** that on October 22, 2024, FTI Consulting Canada Inc., in its  
20 capacity as the receiver (the “Receiver”) appointed in the Canadian insolvency proceeding of  
21 Vicinity Motor Corp., Vicinity Motor (Bus) Corp., Vicinity Motor (Bus) USA Corp., and Vicinity  
22 Motor Property, LLC (collectively, the “Debtors”), *In the Matter of the Receivership of Vicinity*  
23 *Motor (Bus) Corp., et al.*, Supreme Court of British Columbia Case Number No. S-247082 (the  
24 “Canadian Proceeding”), and as authorized foreign representative of the Debtors, filed the Official  
Form 401 *Chapter 15 Petition for Recognition of a Foreign Proceeding* (ECF No. 1) and *Verified*  
*Petition for Recognition of Foreign Main Proceeding and Related Relief* (ECF No. 3) (together,  
the “Petition”) with the United States Bankruptcy Court for the Western District of Washington  
(the “Bankruptcy Court”) under Chapter 15 of Title 11 of the United States Code (the “Bankruptcy

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.



1 Code”) seeking recognition of the Canadian Proceeding as a foreign main proceeding and related  
2 relief.

3 **PLEASE TAKE FURTHER NOTICE** that a hearing has been scheduled on November  
4 \_\_\_, 2024, at \_\_\_\_\_ a.m./p.m. (prevailing Pacific Time), at/by  
\_\_\_\_\_ (the “Recognition Hearing”).

5 **PLEASE TAKE FURTHER NOTICE** that responses, if any, to the Petition must be  
6 made in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and  
7 the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the Western  
8 District of Washington, in writing describing the basis therefor, filed with the Office of the Clerk  
of the Court, 700 Stewart Street, Suite 6301, Seattle, WA 98101, **not later than November \_\_,**  
**2024**, and served upon the following:

9 (A) U.S. counsel for the Receiver, Lane Powell PC, 1420 Fifth Avenue, Suite 4200, Seattle,  
10 WA 98101, Attention: Gregory R. Fox (foxg@lanepowell.com); and James B. Zack  
(zackj@lanepowell.com);

11 (B) Canadian counsel for the Receiver, Fasken Martineau DuMoulin LLC, 550 Burrard  
12 Street, Suite 2900, Vancouver, British Columbia V6C 0A3, Canada, Attention: Lisa  
13 Hiebert (lhiebert@fasken.com); and Kibben Jackson (kjackson@fasken.com); and

14 (C) the Receiver, FTI Consulting Canada Inc., 701 West Georgia Street, Suite 1450, PO  
15 Box 10089, Vancouver, British Columbia V7Y 1B6, Canada, Attention: Tom Powell  
(tom.powell@fticonsulting.com).

16 **PLEASE TAKE FURTHER NOTICE** that if no response is timely filed and served as  
17 provided above, the Bankruptcy Court may grant the recognition and relief requested in the  
Petition without further notice or hearing.

18 **PLEASE TAKE FURTHER NOTICE** that the Recognition Hearing may be adjourned  
19 from time to time without further notice other than an announcement in open court at such hearings  
20 of the adjourned date or dates or any adjourned hearing.

21 **PLEASE TAKE FURTHER NOTICE** that no time period or place for the filing of proofs  
22 of claim in these Chapter 15 cases has been established and creditors need not file proofs of claim  
with the Bankruptcy Court at this time.

23 **PLEASE TAKE FURTHER NOTICE** that copies of the Petition and other filings in this  
24 case are presently available (1) via Public Access to Court Electronic Records (PACER), which  
25 can be accessed from the Bankruptcy Court’s website at <https://ecf.wawb.uscourts.gov/> (a PACER  
login and a password are required to retrieve a document), and/or (2) upon written request to the  
Receiver’s counsel addressed to:

26 Lane Powell PC  
27 Attn: James B. Zack

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3 Seattle, Washington 98101

4 DATED: October 24, 2024

5 LANE POWELL PC

6  
7 By: /s/ James B. Zack

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10 Attorneys for FTI Consulting Canada Inc.,  
11 Foreign Representative  
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