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15 OWEN DIAZ

16 **UNITED STATES DISTRICT COURT**
17
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 OWEN DIAZ,
20 Plaintiff,
21 v.
22 TESLA, INC. dba TESLA MOTORS, INC.;
23 Defendant.
24

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Case No. 3:17-cv-06748-WHO

**JOINT STIPULATION FOR DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(ii)**

Trial Date: March 27, 2023
Judgment Entered: April 12, 2023

1 **TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Owen Diaz
4 (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), by and through their attorneys of record,
5 hereby submit this Joint Stipulation for Dismissal.

6 **WHEREAS**, on April 11, 2023, the Court entered Judgment in this matter following a
7 verdict in a jury trial (Dkt. 471);

8 **WHEREAS**, on November 2, 2023, Plaintiff filed a Notice of Appeal from the
9 Judgment (Dkt. 497);

10 **WHEREAS**, on November 16, 2023, Defendant filed a Notice of Cross-Appeal from the
11 Judgment (Dkt. 499);

12 **WHEREAS**, the Parties have executed a final, binding settlement agreement that fully
13 resolves all claims;

14 **WHEREAS**, the Parties have met and conferred and agree that the matter has been
15 resolved and this case may be dismissed.

16 **NOW THEREFORE**, it is hereby stipulated, by and between the Parties, that this matter
17 shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii),
18 with each Party to bear its own costs and fees.

19 **IT IS SO STIPULATED.**
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CALIFORNIA CIVIL RIGHTS LAW GROUP
ALEXANDER MORRISON + FEHR LLP
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COLLIER LAW FIRM LLP

DATED: March 15, 2024

By: /s Cimone Nunley

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Attorneys for Plaintiff
OWEN DIAZ

DATED: March 15, 2024

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By /s Daniel Posner

Kathleen M. Sullivan
Daniel C. Posner
Mari Henderson
Asher Griffin
Attorneys for Defendant
TESLA, INC.

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[PROPOSED] ORDER

Based upon the Parties’ Stipulation, and good cause having been shown, **IT IS HEREBY ORDERED THAT:**

This matter shall be dismissed with prejudice.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2024

Hon. William H. Orrick

DECLARATION OF CONSENT

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I obtained concurrence in the filing of this document from above-listed counsel for Defendant Tesla, Inc., which shall serve in lieu of their signature on the document.

Dated: March 15, 2024

By: /s Cimone Nunley
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