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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TESLA, INC. SECURITIES
LITIGATION

Case No. 3:18-cv-04865-EMC

**STIPULATION AND [PROPOSED] ORDER
REGARDING THE SUBMISSION OF THE
PARTIES’ JOINT PRETRIAL CONFERENCE
STATEMENT AND PRETRIAL MATERIALS**

Pursuant to Civil Local Rule 6-2, Lead Plaintiff Glen Littleton (“Lead Plaintiff”) and Defendants Tesla, Inc., Elon R. Musk, Brad W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and Linda Johnson Rice (collectively, “Defendants”) (collectively, Lead Plaintiff and Defendants are referred to as the “Parties”), by and through their undersigned counsel of record, submit the following stipulation and proposed order:

WHEREAS, on May 31, 2020, the Court entered a Case Management and Pretrial Order for Jury Trial (“Pretrial Order”) setting the litigation deadlines for this case (Dkt. No. 261);

WHEREAS, the Pretrial Order set April 12, 2022 (21 days prior to the final pretrial conference) as the deadline to file a joint pretrial conference statement and pretrial materials. Dkt. No. 261);

1 WHEREAS, Plaintiff moved for partial summary judgment on January 11, 2022 (Dkt. No.
2 352);

3 WHEREAS, the Court issued a Sealed Order on April 1, 2022 (Dkt. 387), which the parties
4 did not receive until April 10, 2022 at 6:43 p.m. (the “Sealed Order”);

5 WHEREAS, the Parties have been working cooperatively on the joint pretrial conference
6 statement and pretrial materials;

7 WHEREAS, due to the Sealed Order, the Parties need additional time to revise the joint
8 pretrial conference statement and pretrial materials to reflect the Court’s Sealed Order and its effect
9 on trial;

10 WHEREAS, the Parties jointly propose to postpone the deadline to file the joint pretrial
11 conference statement and pretrial materials until April 25, 2022;

12 WHEREAS, the Sealed Order also addressed Defendants’ motions to seal confidential
13 information filed in conjunction with the pleadings on the motion for partial summary judgment
14 (*see, e.g.*, Dkt Nos. 361, 364, 367, 374), ordering the Parties to meet and confer thereon within two
15 weeks from the date of the Sealed Order;

16 WHEREAS, because the Parties did not receive the Sealed Order until April 10, 2022, the
17 Parties will calculate the two week period to meet and confer starting from the date the Sealed
18 Order was served.

19 NOW, THEREFORE, the Parties hereby jointly request that the Court enter an order
20 establishing the following deadlines in this case, or alternatively to schedule a hearing in order to
21 discuss the submission of joint pretrial conference statement and pretrial materials:

EVENT	CURRENT SCHEDULE	PROPOSED MODIFIED SCHEDULE
Joint pretrial conference statement, and pretrial materials	April 12, 2022 (21 days prior to the pretrial conference)	April 25, 2022 ¹
Final Pretrial Conference	May 3, 2022	May 3, 2022
Trial ²	May 31, 2022	May 31, 2022

27 ¹ Defendants will also file any additional papers regarding its request to seal confidential
information on or before this date.

28 ² Defendants reserve the right to seek certification of the Sealed Order (Dkt. 387), or to
otherwise seek alteration of the trial date.

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DATED: April 12, 2022

LEVI & KORSINSKY, LLP

By: /s/ Adam M. Apton

Adam M. Apton
Attorneys for Lead Plaintiff Glen Littleton and Lead Counsel for the Class

DATED: April 12, 2022

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Alex Spiro

Alex Spiro (*appearing pro hac vice*)
Attorneys for Tesla, Inc., Elon Musk, Brad W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, And Linda Johnson Rice

IT IS SO ORDERED.

Dated: _____

HON. EDWARD M. CHEN
United States District Judge

ATTESTATION

I, Adam M. Apton, am the ECF user whose ID and password are being used to file the above document. In compliance with Local Rule 5-1(h)(3), I hereby attest that the above named attorneys of record have concurred in the filing of the above document.

/s/ Adam M. Apton
Adam M. Apton