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11 **TESLA, INC.**

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 NIKOLA CORPORATION,  
16 Plaintiff and  
Counterdefendant,  
17 v.  
18 TESLA, INC.,  
19 Defendant and  
Counterclaimant.

CASE NO. 3:18-cv-07460-JD  
**STIPULATION OF VOLUNTARY  
DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1)(A)(ii)**

21 Pursuant to F.R.C.P. 41(a)(1)(A)(ii) and the Court’s Standing Order for Civil Cases Before  
22 Judge James Donato, Plaintiff and Counterdefendant Nikola Corporation and Defendant and  
23 Counterclaimant Tesla, Inc. (collectively the “Parties”) jointly stipulate to the voluntary dismissal  
24 without prejudice of all claims and counterclaims alleged by the Parties in this action. In connection  
25 with this stipulated voluntary dismissal, the Parties agree that each Party will bear its own costs and  
26 fees and neither Party will pursue a Rule 54 Motion for attorney’s fees.

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Dated: January 4, 2022

Respectfully submitted,

By: /s/ L. Richard Williams  
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Dated: January 4, 2022

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**CERTIFICATE OF SERVICE**

I am a citizen of the United States, over the age of eighteen years, and not a party to the within action. I am employed in the County of San Francisco, State of California, and my business address is Steyer Lowenthal Boodrookas Alvarez & Smith LLP, 235 Pine Street, 15<sup>th</sup> Floor, San Francisco, California 94104.

On the date set forth below, I served a true and correct copy of the following document(s):

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

By transmitting the above documents to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 4, 2022

  
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