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Attorneys for Defendant
GUANGZHI CAO

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 TESLA, INC., a Delaware corporation,
17 Plaintiff,
18 v.
19 GUANGZHI CAO, an individual,
20 Defendant.

CASE NO. 19-cv-01463-VC

**JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE,
FED R. CIV. P. 41(a)(1)(A)(ii)**

1 WHEREAS, Defendant Guangzhi Cao (“Dr. Cao”) was an employee of Plaintiff Tesla, Inc.
2 (“Tesla”) from April 2017 until January 2019, after which he became employed by XMotors from
3 January 2019 until August 2020;

4 WHEREAS, Tesla filed this action against Dr. Cao on March 21, 2019, asserting claims for
5 misappropriation of trade secrets, breach of contract, and breach of the duty of loyalty;

6 WHEREAS, Tesla claimed in its Complaint that, during his employment at Tesla, Dr. Cao took
7 copies of Tesla’s Autopilot-related source code by uploading it to his personal iCloud account and
8 retaining those copies after he resigned from Tesla in January 2019 and began working for XMotors, a
9 competitor to Tesla, in violation of his agreements with Tesla and state and federal law;

10 WHEREAS, Dr. Cao claimed in response that he tried to delete the source code prior to his
11 departure from Tesla, that any retention of source code by him was inadvertent, and that he did not
12 disclose the source code to, or use it for the benefit of, XMotors or any other third party;

13 WHEREAS, Dr. Cao admits that during his employment at Tesla he uploaded Tesla’s Autopilot
14 source code to his personal, cloud-based storage account; that these source code files were synced or
15 saved on certain personal electronic devices; and that source code was retained on certain personal
16 electronic devices in his possession when Tesla brought this lawsuit;

17 WHEREAS, Dr. Cao admits that he should not have uploaded Tesla’s Autopilot source code to
18 his personal, cloud-based storage account; that the source code should not have been synced or saved to
19 his personal electronic devices; and that he had an obligation to return all Tesla confidential, proprietary,
20 and/or trade secret information in his possession on or before his last day at Tesla;

21 WHEREAS, Dr. Cao apologizes to Tesla for his actions;

22 WHEREAS, Tesla and Dr. Cao have entered into a settlement agreement to resolve all claims
23 asserted in this action, the terms of which are confidential but include a monetary payment made by Dr.
24 Cao to Tesla;

25 NOW, THEREFORE, in light of their settlement, the parties, through undersigned counsel,
26 hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that the above-
27 captioned matter shall be and hereby is dismissed with prejudice, each party to bear its fees and costs.
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Respectfully submitted,

Date: April 15, 2021

CONRAD | METLITZKY | KANE LLP

/s/ Mark R. Conrad
MARK CONRAD
Attorneys for Guangzhi Cao

Date: April 15, 2021

THE NORTON LAW FIRM

/s/ Fred Norton
FRED NORTON
Attorneys for Tesla Inc.

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DECLARATION OF CONSENT

The undersigned attests, pursuant to Civil L.R. 5-1(i)(3), that concurrence in the filing of the document has been obtained from the other signatories to this document.

Date: April 15, 2021

/s/ Mark R. Conrad
MARK CONRAD