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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID RASMUSSEN, an individual, on behalf
of himself and all others similarly situated,

Plaintiff,

v.

TESLA, INC. d/b/a TESLA MOTORS, INC.,

Defendant.

Case No. 5:19-cv-04596-BLF

[PROPOSED] FINAL JUDGMENT

[PROPOSED] FINAL JUDGMENT

For the reasons set forth in this Court's Final Approval Order, in the above-captioned matter as to the following class of persons:

All U.S. residents who, anytime during the period from May 15, 2019 through September 1, 2020, owned or leased a Tesla Model S vehicle that experienced a limitation of maximum battery voltage as the result of the software update issued by Tesla in May 2019. Excluded from the Settlement Class are any Judge presiding over this Action, the members of his or her immediate family, and Tesla and its officers and directors.

JUDGMENT IS HEREBY ENTERED, pursuant to Federal Rule of Civil Procedure 58, as to the above-specified class of persons, Plaintiff David Rasmussen ("Plaintiff") and Defendant Tesla, Inc. ("Tesla") on the terms and conditions of the Settlement Agreement and Release (the "Settlement Agreement") approved by the Court's Final Approval Order, dated _____.

1. The Court, for purposes of this Final Judgment, adopts the terms and definitions set forth in the Settlement Agreement incorporated into the Final Approval Order.

2. All Released Claims of the Releasing Parties are hereby released as against Tesla and the Released Parties, as defined in the Settlement Agreement.

3. The claims of Plaintiff and the Settlement Class Members are dismissed on the merits and with prejudice in accordance with the Court's Final Approval Order.

4. The Parties shall bear their own costs and attorneys' fees, except as otherwise set forth in the Final Approval Order.

5. This document constitutes a final judgment and separate document for purposes of Federal Rule of Civil Procedure 58(a).

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1 6. The Court finds, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, that
2 this Final Judgment should be entered and that there is no just reason for delay in the entry of this
3 Final Judgment as to Plaintiff, the Settlement Class Members, and Tesla. Accordingly, the Clerk is
4 hereby directed to enter Judgment forthwith.

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6 **IT IS SO ORDERED.**

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8 **JUDGMENT ENTERED** this _____.

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11 _____
12 Honorable Beth Labson Freeman
13 United States District Judge
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