

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

KATHALEEN ST. JUDE McCORMICK
CHANCELLOR

LEONARD L. WILLIAMS JUSTICE CENTER
500 N. KING STREET, SUITE 11400
WILMINGTON, DELAWARE 19801-3734

June 27, 2024

Gregory V. Varallo
Glenn R. McGillivray
Daniel E. Meyer
BERNSTEIN LITOWITZ
BERGER & GROSSMANN LLP
500 Delaware Avenue, Suite 901
Wilmington, DE 19801

Peter B. Andrews
Craig J. Springer
David M. Sborz
Andrew J. Peach
Jackson E. Warren
ANDREWS & SPRINGER LLC
4001 Kennett Pike, Suite 250
Wilmington, DE 19807

David E. Ross
Garrett B. Moritz
Thomas C. Mandracchia
ROSS ARONSTAM & MORITZ LLP
1313 North Market St., Suite 1001
Wilmington, DE 19801

Catherine A. Gaul
Randall J. Teti
ASHBY & GEDDES, P.A.
500 Delaware Avenue, 8th Floor
Wilmington, DE 19801

John L. Reed
Ronald N. Brown, III
Caleb G. Johnson
Daniel P. Klusman
DLA PIPER LLP (US)
1201 N. Market Street, Suite 2100
Wilmington, DE 19801

William M. Lafferty
Susan W. Waesco
Ryan D. Stottmann
Miranda N. Gilbert
Jacob M. Perrone
MORRIS, NICHOLS,
ARSHT & TUNNELL LLP
1201 N. Market Street, 16th Floor
Wilmington, DE 19801

Rudolf Koch
John D. Hendershot
Kevin M. Gallagher
Andrew L. Milam
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801

David S. Eagle
Sally E. Veghte
KLEHR HARRISON HARVEY
BRANZBURG LLP
919 N. Market Street, Suite 1000
Wilmington, DE 19801

Anthony A. Rickey
MARGRAVE LAW LLC
3411 Silverside Road
Baynard Building, Suite 104
Wilmington, DE 19810

Theodore A. Kittila
HALLORAN FARKAS + KITTLA LLP
5722 Kennett Pike
Wilmington, DE 19807

Re: *Richard J. Tornetta v. Elon Musk, et al.*,
C.A. No. 2018-0408-KSJM

Dear Counsel:

This letter addresses the defendants' June 20, 2024 motion to vacate the current schedule and order expedited briefing on the effect of the Tesla stockholders' June 13, 2024 vote on this action.¹ The motion is granted in part.

The parties are ordered to brief the effect of the stockholder vote consistent with the expedited schedule that the defendants proposed and subject to the word limits set out in Court of Chancery Rule 7(c)(3). The parties are instructed to contact my Chambers to set a hearing on those issues for late July or the first week in August. But we will go forward with the July 8, 2024 hearing on the plaintiff's fee petition and objections to that petition.

Given that we will hold a separate oral argument devoted solely to the questions raised by the stockholder vote, for the purposes of the July 8 hearing, the parties are instructed to argue the points at issue without regard to the stockholder vote. All arguments concerning the stockholder vote will be deemed preserved.

IT IS SO ORDERED.

Sincerely,

/s/ Kathaleen St. Jude McCormick

Chancellor

cc: All counsel of record (by *File & ServeXpress*)

¹ C.A. No. 2018-0408-KSJM, Docket 386.