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UNITED STATES DISTRICT COURT 1 2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION 3 WERIDE CORP. f/k/a JingChi Corp.; CASE NO. 5:18-cv-07233-EJD 4 WERIDE INC. f/k/a JingChi Inc., 5 STIPULATION AND [PROPOSED] Plaintiff, ORDER DISMISSING ALL CLAIMS 6 WITH PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL VS. 7 PROCEDURE 41(A)(2) JING WANG, an individual, KUN HUANG, 8 an individual, ZHONG ZHI XING TECHNOLOGY CO. LTD., d/b/a 9 ALLRIDE.AI, ALLRIDE.AI INC., KAIZR, INC., ZKA INC., DOES 1-10 10 Defendants. 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

STIPULATED DISMISSAL OF ALL CLAIMS AND COUNTERCLAIMS PURSUANT TO FRCP 41(A)(2)

5:18-cv-07233-EJD

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STIPULATED DISMISSAL OF ALL CLAIMS WITH PREJUDICE

WHEREAS, on May 7, 2020, Plaintiffs WeRide Inc. and WeRide Corp. (collectively "Plaintiffs") and Defendants Jing Wang, Kun Huang, Zhong Zhi Xing Technology Co. Ltd., D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., and ZKA Inc. (collectively "Defendants," and together with Plaintiffs, "the Parties") reached an agreement to settle all claims still pending in the above captioned litigation with prejudice;

WHEREAS, the Parties collectively comprise "all parties who have appeared" in the above captioned litigation, whether defaulted or not, as that phrase is used in Federal Rule of Civil Procedure 41(a)(2);

WHEREAS, the Parties ask this Court dismiss all claims in the above captioned litigation with prejudice;

NOW THEREFORE, the Parties hereby stipulate and agree as follows:

- 1. Plaintiffs WeRide Inc. and WeRide Corp. hereby dismiss all of their claims against Defendants Jing Wang, Kun Huang, Zhong Zhi Xing Technology Co. Ltd., D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., and ZKA Inc. with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2).
- 2. Defendants Jing Wang, Kun Huang, Zhong Zhi Xing Technology Co. Ltd., D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., and ZKA Inc. hereby agree that any order dismissing this litigation, pursuant to this stipulation, shall have preclusive effect with respect to any counterclaims that Defendants Jing Wang, Kun Huang, Zhong Zhi Xing Technology Co. Ltd., D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., or ZKA Inc. could have brought in this litigation.
- 3. The Court's Order Granting in Part and Denying in Part WeRide's Motion for Preliminary Injunction dated March 22, 2019 and entered at Docket No.116, should be vacated.
- 4. The Court's Order Granting in Part and Denying in Part Motion to Modify the Preliminary Injunction dated October 28, 2019 and entered at Docket No. 342, should be vacated.

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1	5. Any bond posted by Plaintiffs with respect to either the Preliminary Injunctions mentioned				
2		in paragraphs 3 and 4 above is hereby ordered released and dissolved effective			
3	:	immediately.			
4	6.	6. The Parties hereby request, as it is a condition of their agreement to the dismissal, that the			
5	Court exercise its discretion not to award further sanctions to WeRide, either pursuant to				
6		the fees application filed at Docket Entry 490, or pursuant to the motion for sanctions that			
7		WeRide filed at Docket Entry 376.			
8	7.	7. The Parties are duty bound to comply with the terms of the governing Protective Order			
9	regarding the return and/or destruction of documents and certification of the same per the				
10	terms of the governing Protective Order.				
11	8. Each of the parties shall bear their own attorneys' fees and costs in this matter, and each				
12	waives the right to appeal from any order entered in this matter.				
13					
14	So stipulated and agreed.				
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17					
18		Respectfully submitted,		Respectfully submitted,	
19					
20	By:	<u>/s/Claude M. Stern</u> Claude M. Stern	By:	/s/Kurt A. Kappes Kurt A. Kappes	
21		QUINN EMANUEL URQUHART & SULLIVAN LLP		GREENBERG TRAURIG, LLP Attorneys for Defendants AllRide.AI	
22		Attorneys for Plaintiffs WeRide Corp. and WeRide Inc.		Inc. and Zhong Zhi Xing Technology Co. Ltd	
23	Dated	•	Dated:	May 8, 2020	
24		, -,			
25	By:	/s/Gregory S. Gilchrist Gregory S. Gilchrist	By:	/s/Mortimer H. Hartwell Mortimer H. Hartwell	
26		KILPATRICK TOWNSEND & STOCKTON LLP		VINSON & ELKINS LLP Attorneys for Defendant Kun	
27		Attorneys for Defendants Jing Wang And Kaizr, Inc		Huang	
28	Dated	l: May 8, 2020	Dated:	May 8, 2020	
			-4-	5:18-cv-07233-EJD AND COUNTERCLAIMS PURSUANT TO FRCP 41(A)(2)	
	5 II 5 D. M. D. D. D. M. D. D. L. M. D. COONTERCEANNO I ORDORNI TO I RCI 41(A)(2)				

SIGNATURE ATTESTATION Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Claude M. Stern, Gregory S. Gilchrist and Mortimer H. Hartwell. Dated: May 8, 2020 By: Michael D. Lane

Proposed! Order Granting the Parties' Stipulation to Dismiss All Claims 1 2 The Court hereby GRANTS the Parties' stipulation and orders as follows: 3 1. All claims alleged in the above captioned litigation by Plaintiffs WeRide Inc. and WeRide Corp. against Defendants Jing Wang, Kun Huang, Zhong Zhi Xing Technology Co. Ltd., 4 5 D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., and ZKA Inc. are hereby dismissed with 6 prejudice. 7 2. This Order shall have preclusive effect as to any counterclaims that Defendants Jing Wang, 8 Kun Huang, Zhong Zhi Xing Technology Co. Ltd., D/B/A AllRide.AI, AllRide.AI Inc., 9 Kaizr, Inc., or ZKA Inc. could have brought in this litigation. 10 3. The Court's Order Granting in Part and Denying in Part WeRide's Motion for Preliminary 11 Injunction dated March 22, 2019 and entered at Docket No.116, is hereby vacated. 12 4. The Court's Order Granting in Part and Denying in Part Motion to Modify the Preliminary 13 Injunction dated October 28, 2019 and entered at Docket No. 342, is hereby vacated. 14 5. The Court hereby exercises its discretion not to award further sanctions to WeRide, either 15 pursuant to the fees application filed at Docket Entry 490, or pursuant to the motion for 16 sanctions that WeRide filed at Docket Entry 376. 17 6. Each of the parties shall bear their own attorneys' fees and costs in this matter, and each 18 waives the right to appeal from any order entered in this matter 19 20 21 IT IS SO ORDERED. DATED: May 8 22 23 24 The Honorable Edward J. Davila 25 UNITED STATES DISTRICT COURT JUDGE 26 27 28