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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

WERIDE CORP. f/k/a JingChi Corp.;
WERIDE INC. f/k/a JingChi Inc.,

Plaintiff,

vs.

JING WANG, an individual, KUN HUANG,
an individual, ZHONG ZHI XING
TECHNOLOGY CO. LTD., d/b/a
ALLRIDE.AI, ALLRIDE.AI INC., KAIZR,
INC., ZKA INC., DOES 1-10

Defendants.

CASE NO. 5:18-cv-07233-EJD

**STIPULATION AND ~~PROPOSED~~
ORDER DISMISSING ALL CLAIMS
WITH PREJUDICE PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(A)(2)**

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.

- 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. 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. 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.

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 14 So stipulated and agreed.

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 16
 17
 18 Respectfully submitted,

Respectfully submitted,

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 20 By: /s/Claude M. Stern
 21 Claude M. Stern
 22 QUINN EMANUEL
 23 URQUHART & SULLIVAN LLP
 Attorneys for Plaintiffs WeRide
 Corp. and WeRide Inc.

By: /s/Kurt A. Kappes
 Kurt A. Kappes
 GREENBERG TRAURIG, LLP
 Attorneys for Defendants AllRide.AI
 Inc. and Zhong Zhi Xing Technology
 Co. Ltd

24 Dated: May 8, 2020

Dated: May 8, 2020

25 By: /s/Gregory S. Gilchrist
 26 Gregory S. Gilchrist
 27 KILPATRICK TOWNSEND &
 STOCKTON LLP
 Attorneys for Defendants Jing
 Wang And Kaizr, Inc

By: /s/Mortimer H. Hartwell
 Mortimer H. Hartwell
 VINSON & ELKINS LLP
 Attorneys for Defendant Kun
 Huang

28 Dated: May 8, 2020

Dated: May 8, 2020

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**

The Court hereby GRANTS the Parties' stipulation and orders as follows:

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., D/B/A AllRide.AI, AllRide.AI Inc., Kaizr, Inc., and ZKA Inc. are hereby dismissed **with prejudice**.
2. This Order shall have preclusive effect as 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, is hereby 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, is hereby vacated.
5. The Court hereby exercises its discretion not to award further sanctions to WeRide, either pursuant to the fees application filed at Docket Entry 490, or pursuant to the motion for sanctions that WeRide filed at Docket Entry 376.
6. Each of the parties shall bear their own attorneys' fees and costs in this matter, and each waives the right to appeal from any order entered in this matter

IT IS SO ORDERED.

DATED: May 8, 2020



The Honorable Edward J. Davila

UNITED STATES DISTRICT COURT JUDGE