

EXCERPTS FROM THE DEPOSITION OF
ELON MUSK
TAKEN NOVEMBER 5, 2021

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TESLA, INC. SECURITIES) Case No.
LITIGATION) 3:18-cv-04865-EMC

CONFIDENTIAL

ORAL AND VIDEOTAPED DEPOSITION OF
ELON MUSK

NOVEMBER 5, 2021

ORAL AND VIDEOTAPED DEPOSITION OF ELON MUSK,
produced as a witness at the instance of the Plaintiff,
and duly sworn, was taken in the above-styled and
numbered cause on November 5, 2021, from 10:32 a.m. to
8:04 p.m., before Candice Andino, Certified Shorthand
Reporter in and for the State of Texas, reported by
machine shorthand, at Armbrust & Brown, PLLC, 100
Congress Avenue, Suite 1300, Austin, Texas, pursuant to
Notice and in accordance with the Federal Rules of Civil
Procedure.

JOB NO. 202221

A P P E A R A N C E S

FOR THE PLAINTIFFS:

LEVI & KORSINSKY
BY: MR. NICHOLAS PORRITT
MS. ELIZABETH TRIPODI
MS. KATHY AMES VALDIVIESO
1101 30th Street N.W.
Washington, DC 20007

FOR THE DEFENDANTS:

COOLEY
BY: MR. STEPHEN NEAL
3175 Hanover Street
Palo Alto, California 94304

ALSO PRESENT:

CASEY MUMMERT, Videographer
CANDACE JACKMAN, Tesla in-house counsel
JOSHUA WALDEN (appearing telephonically)

1 FRIDAY, NOVEMBER 5, 2021, 10:32 A.M.

2 AUSTIN, TEXAS

3 THE VIDEOGRAPHER: Good morning. This is
4 the start of media labeled Number 1 of the video
5 recorded deposition of Mr. Elon Musk, in the matter in
6 re Tesla, Inc. Securities Litigation, in the US District
7 Court Northern District of California, San Francisco
8 Division, No. 3:18-cv-04865-EMC.

9 This deposition is being held at the law
10 offices of Armbrust & Brown on November 5th, 2021, at
11 approximately 10:32 a.m.

12 My name is Casey Mummert. I'm the legal
13 video specialist from TSG Reporting, Inc. headquartered
14 in 228 East 45th Street, Suite 810, New York, New York
15 10017.

16 The court reporter is Candice Andino in
17 association with TSG Reporting.

18 Counsel, please introduce yourselves.

19 MR. PORRITT: Excuse me. Nicholas Porritt
20 of the firm of Levi & Korsinsky on behalf of the
21 Plaintiff and the Class.

22 MS. AMES VALDIVIESO: Kathy Ames on behalf
23 of Plaintiff.

24 MS. TRIPODI: And Elizabeth Tripodi with
25 Levi & Korsinsky on behalf of Plaintiff.

1 MR. NEAL: And I'm Stephen Neal of Cooley
2 representing Mr. Musk and the other defendants in this
3 case.

4 MS. JACKMAN: Candace Jackman, in-house
5 counsel with Tesla.

6 (Witness sworn.)

7 THE WITNESS: I do.

8 ELON MUSK,
9 having been first duly sworn, was examined and testified
10 as follows:

11 EXAMINATION

12 BY MR. PORRITT:

13 Q. Good morning, Mr. Musk.

14 A. Good morning.

15 Q. As you just heard, my name is Nicholas Porritt.
16 I'm one of the counsel for the plaintiffs in this
17 matter.

18 A. Okay.

19 Q. I'll be taking your deposition today. I know
20 you've been deposed before, but I'll just quickly go
21 over a couple of ground rules just to -- just to make
22 sure we're all on the same page. Excuse me.

23 One is we are creating a written record.
24 You can see Candice here is writing down what I say and
25 will write down what you say. So, with that in mind,

DEPOSITION TESTIMONY
FILED UNDER SEAL

ERRATA
FILED UNDER SEAL

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 IN RE TESLA, INC. SECURITIES) Case No.
LITIGATION) 3:18-cv-04865-EMC
5)
6)
7)
8)
_____)

9 REPORTER'S CERTIFICATION
10 ORAL AND VIDEOTAPED DEPOSITION OF
11 ELON MUSK
12 NOVEMBER 5, 2021
13

14 I, CANDICE ANDINO, Certified Shorthand Reporter in
15 and for the State of Texas, hereby certify to the
16 following:

17 That the witness, ELON MUSK, was duly sworn by the
18 officer and that the transcript of the oral deposition
19 is a true record of the testimony given by the witness;

20 I further certify that pursuant to FRCP Rule
21 30(f)(1) that the signature of the deponent:

22 _____ was requested by the deponent or a party
23 before the completion of the deposition and returned
24 within 30 days from date of receipt of the transcript.
25 If returned, the attached Changes and Signature Page

1 contains changes and the reasons therefor;

2 __X__ was not requested by the deponent or a party
3 before the completion of the deposition.

4 I further certify that I am neither attorney nor
5 counsel for, related to, nor employed by any of the
6 parties to the action in which this testimony was taken.

7 Further, I am not a relative or employee of any
8 attorney of record in this cause, nor do I have a
9 financial interest in the action.

10 Subscribed and sworn to on this 10th day of
11 November, 2021.

12 

13
14 CANDICE ANDINO, Texas CSR No. 9332, RMR
15 Expiration Date: 8/31/23
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17 Firm Registration No. 615
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