

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

DEC 20 2008

ALAN CARLSON, Clerk of the Court

*K. Peraza*  
BY K PERAZA

1 MYRA J. PASEK, State Bar No. 151185  
2 TESLA MOTORS, INC.  
3 1050 Bing Street  
4 San Carlos, CA 94070  
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8 Attorneys for Respondent  
9 TESLA MOTORS, INC.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE

11 FISKER COACHBUILD, LLC, a California )  
12 limited liability company; Fisker )  
13 Automotive, Inc., A Delaware corporation; )  
14 HENRIK FISKER, an individual; )  
15 BERNHARD KOEHLER, an individual, )

16 Petitioners,

17 vs.

18 TESLA MOTORS, INC., a Delaware )  
19 corporation, )

20 Respondent. )

Case No.: 30-2008-00115679-CU-PT-CJC

Date: January 5, 2009  
Time: 1:30 p.m.  
Dept: C31  
Judge: Frederick P. Horn

~~FILED~~  
JUDGMENT CONFIRMING  
ARBITRATION AWARD

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22 The petition of Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker  
23 and Bernhard Koehler to confirm the arbitration award was scheduled regularly for hearing  
24 before the undersigned judge, with notice duly and regularly given, on January 5, 2009 at 1:30  
25 p.m. in Department C31 of the above-entitled court, located at 700 Civic Center Drive West,  
26 Santa Ana, California 92701. However, in light of Respondent's Statement of Non-Opposition,  
27 and the parties' agreement that no hearing is necessary, such hearing was taken off calendar.

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JUDGMENT CONFIRMING ARBITRATION AWARD

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**IT IS HEREBY ORDERED AND ADJUDGED:**


1. That the award of the arbitrator Hon. William F. MacDonald (Ret.) dated November 24, 2008 is **CONFIRMED**.

2. That Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker and Bernhard Koehler recover from Tesla Motors, Inc. the amount of \$1,144,385.03, plus interest on that sum at the legal rate of ten percent (10%), or \$313.53 per day, from November 24, 2008, until paid;

3. That Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker and Bernhard Koehler recover from Tesla Motors, Inc. the costs of suit incurred herein in the amount of \$360.00; and

4. That Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker and Bernhard Koehler recover from Tesla Motors, Inc. the attorneys' fees incurred herein in the amount of \$4,570.00.

DATED: 12/23/08

  
\_\_\_\_\_  
Judge of the Superior Court  
**FREDERICK P. HORN**  
*dh*