



TESLA V. FISKER – ARBITRATOR FIRMS EARLIER FINDING IN FAVOR OF FISKER AND AWARDS FISKER \$1,144,385.03 IN ATTORNEYS’ FEES AND COSTS AGAINST TESLA.

Irvine, Calif. December 4, 2008: Fisker prevails in Tesla Lawsuit: JAMS Arbitrator issues final award finding in favor of Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker and Bernhard Koehler and against Tesla Motors Inc. on all claims.

On November 24, 2008, the Honorable William F. McDonald (Ret.), Arbitrator of the Tesla v. Fisker arbitration, issued his final award ruling in favor of Fisker Coachbuild, LLC, Fisker Automotive, Inc., Henrik Fisker and Bernhard Koehler on all counts and ordering Tesla to pay Fisker attorneys’ fees and costs of \$1,144,385.03.

Judge McDonald found that there was no evidence Fisker used any confidential information belonging to Tesla in the Karma project and that there was no evidence that Tesla had any PHEV technology before Fisker and Quantum formed Fisker Automotive, let alone that Tesla had shared such information with Fisker. Judge McDonald found that the evidence was overwhelming that Fisker did nothing wrong and that Tesla’s assertions of violations of the Uniform Trade Secrets Act by Fisker were baseless and neither brought nor pursued in good faith.

Thomas Newmeyer, of Newmeyer & Dillion, LLP, litigation counsel for Fisker, stated: “I could not be more pleased with Judge McDonald’s final award. By granting my clients’ virtually every cent of the fees and costs submitted for approval, Judge McDonald reinforced his conviction that my clients were innocent of any wrongdoing and that Tesla brought and pursued its trade secret claims in bad faith.”

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“We are happy with the final award and 100 % ruling in favor of Fisker Coachbuild, LLC and Fisker Automotive, Inc.,” said Henrik Fisker, CEO, Fisker Automotive, Inc. “Our focus is the launch of our first production vehicle, the Fisker Karma plug-in hybrid which will be showcased at the 2009 North America International Auto Show (NAIAS) in January.”

Fisker Automotive, Inc.

Fisker Automotive is a privately owned car company with Henrik Fisker as the CEO. Fisker Coachbuild, LLC will be the exclusive design house for Fisker Automotive through the entire range of product development. The company has backing from Kleiner Perkins Caufield & Byers, Palo Alto Investors and Qatar Investment Authority. www.fiskerautomotive.com

Fisker Coachbuild, LLC

Fisker Coachbuild, LLC is a privately held company. Henrik Fisker & Bernhard Koehler, COO will continue to provide high quality design services for transportation and product design programs world wide. www.fiskercb.com

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