

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Shenkman v. Tesla, Inc.
Case No. RG21102833
Superior Court for Alameda County, California

IF YOU PURCHASED A SUPERCHARGER-ENABLED TESLA VEHICLE IN CALIFORNIA BEFORE DECEMBER 16, 2016, AND WERE A CITIZEN OF CALIFORNIA AS OF JUNE 21, 2021, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.

A court has authorized this notice. This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A proposed Settlement has been reached with Tesla, Inc. (“Tesla” or “Defendant”) in a class action lawsuit. This case concerns allegations that Tesla improperly charged “idle fees” to certain customers who purchased Tesla vehicles with free lifetime Supercharging. The lawsuit further alleges that if customers refused to pay idle fees, Tesla disabled or said that it would disable those vehicles’ access to Superchargers. Tesla contends that its conduct complied with applicable law and its agreements with customers. Tesla denies that it did anything wrong and that the claims have any merit. The Court has not decided who is right.
- The lawsuit is called *Shenkman v. Tesla, Inc.*, Case No. RG21102833. It is pending in the Superior Court for Alameda County, California (the “Litigation”).
- The parties have agreed to settle the lawsuit (the “Settlement”), subject to Court approval.
- Tesla’s records indicate that you may be a Class Member (if you meet the requirements below), and entitled to benefits under the Settlement.
- Class Members’ rights are affected whether they act or don’t act. ***Please read this Notice carefully and completely.***

SUMMARY OF CLASS MEMBERS' LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way Class Members may receive cash payments from this Settlement is by submitting a valid and timely Claim Form. The fastest way for Class Members to submit a Claim Form is online at www.TeslaIdleFeeClassAction.com. If Class Members prefer, they can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. Class Members may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	September 25, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	Class Members may object to the settlement by writing to the Court about why they don't like the Settlement. Class Members may also ask the Court for permission to speak about their objection at the Final Approval Hearing. If Class Members object, they may also file a claim for Settlement benefits.	September 25, 2026
DO NOTHING	If Class Members do nothing, they will not receive cash payments from this Settlement. Class Members will still receive the non-cash benefits of the settlement.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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Basic Information

1. Why was this Notice issued?

The Superior Court for Alameda County, California, authorized this Notice. Class Members have a right to know about the proposed Settlement of this class action lawsuit, and about all of their options, before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, Class Members’ legal rights, what benefits are available, and who can receive them.

The lawsuit is called *Shenkman v. Tesla, Inc.*, Case No. RG21102833. It is pending in the Superior Court for Alameda County, California. The person that filed this lawsuit is called the “Plaintiff” (or “Class Representative”) and the company he sued, Tesla, Inc., is called “Tesla” or the “Defendant.”

2. What is this lawsuit about?

The lawsuit alleges that Tesla improperly charged “idle fees” to certain customers who purchased Tesla vehicles with free lifetime Supercharging. The lawsuit further alleges that if customers refused to pay idle fees, Tesla disabled or said that it would disable those vehicles’ access to Superchargers.

Tesla contends that its conduct complied with applicable law and its agreements with customers. Tesla denies that it did anything wrong and that the claims have any merit.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the “Plaintiffs” or “Class Representatives.” Together, the people included in the class action are called a “Class” or “Class Members.” In this Settlement, the Class Representative is Plaintiff Kevin Shenkman. Everyone included in this Litigation are Plaintiff, the other Class Members and Tesla.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiff or Tesla is right. Both sides have agreed to a Settlement, subject to Court approval. The Plaintiff and attorneys representing the Class (“Class Counsel”) think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The Court has defined the Class this way: “All persons who: (1) received a Tesla vehicle in California before December 16, 2016; (2) continued to own the vehicle after December 16, 2016; (3) were citizens of California as of June 21, 2021; and (4) fall within one of the three Liability Subclasses.”

The three Liability Subclasses include: (1) all Class Members who purchased a vehicle described in Tesla’s Motor Vehicle Purchase Agreement as “Supercharger Enabled” before December 16, 2016; (2) all Class Members who purchased a vehicle described in Tesla’s Motor Vehicle Purchase Agreement as “Supercharger Hardware” before December 16, 2016; and (3) all Class Members who purchased a vehicle described in Tesla’s Motor Vehicle Purchase Agreement as “Supercharger Hardware & Access” before December 16, 2016.

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) the Judge in this case, and the Judge’s family and staff; (2) Tesla and its officers, directors, and related companies; and (3) anyone who previously excluded themselves from the Class.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@TeslaidleFeeClassAction.com
- Call toll free, 24/7: (833) 421-7344
- By mail: Tesla Idle Fee Class Action Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.TeslaidleFeeClassAction.com.

The Settlement Benefits

7. What does the Settlement provide?

The Settlement provides non-cash relief and cash payments to eligible Class Members. The relief is cumulative, meaning Class Members may qualify for more than one benefit.

The benefits are explained in more detail below.

BENEFITS

No Disabling and Waiver of Idle Fees. Tesla has agreed that for Class Members who currently own eligible Tesla vehicles received in California before December 16, 2016, Tesla will not disable Supercharger access, will restore access if it was previously disabled, and will waive any unpaid idle fees up to the date of the Settlement.

If a Class Member no longer owns an eligible Tesla vehicle, they may instead elect to receive a **\$10.00** payment by submitting a valid Claim Form and attesting that they are a Class Member.

Idle Fee Refund. Class Members who submit a valid Claim Form may receive a refund of all Supercharger “idle fees” they paid through the date of the Settlement.

Idle fees are charges incurred when a vehicle remained plugged into a Supercharger for a specified period of time after charging was completed.

Class Members must submit a valid Claim Form and attest that they are a Class Member. Tesla’s records will be used to determine the amount of any refund. Class Members cannot receive a refund for idle fees that were not paid or were previously waived.

The Settlement does not prevent Tesla from assessing or collecting Idle Fees from Plaintiff or any Class Member for idle fees incurred, charged, or collected after the date of execution of this Agreement.

Disabling Payment. Class Members who submit a valid Claim Form may receive a payment if their eligible Tesla vehicle was disabled due to unpaid idle or other fees.

- **\$50.00** cash payment: If a vehicle’s access to Superchargers was disabled for less than 30 days due to unpaid idle or other fees; or
- **\$350.00** cash payment: If a vehicle’s access to Superchargers was disabled for 30 or more consecutive days due to unpaid idle or other fees.

If Tesla’s records show that the disabling period was less than 30 consecutive days, the Class Member will receive \$50 instead of \$350.

Class Members must submit a valid Claim Form and attest that they are a Class Member to receive a payment. To receive the \$350 payment, Class Members must identify the approximate year or years during which their Tesla vehicle was disabled for 30 or more consecutive days and they will not receive \$350 if those records show there was no 30-day consecutive period in which the Class Member’s vehicle did not Supercharge during the years they identify.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@TeslaidleFeeClassAction.com
- Call toll free, 24/7: (833) 421-7344
- By mail: Tesla Idle Fee Class Action Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

8. What claims are Class Members releasing as part of the Settlement?

As part of this Settlement, Class Members won’t be able to be part of any other lawsuit against Tesla about the issues that this Settlement covers. The “Releases” section of the Settlement Agreement (Section V) describes the legal claims that Class Members give up as part of the Settlement. Read that language. The Settlement Agreement is available at www.TeslaidleFeeClassAction.com.

Submitting a Claim Form for a Settlement Payment

9. How do Class Members submit a claim for a Settlement benefit?

The fastest way for a Class Member to submit a Claim Form is online at www.TeslaIdleFeeClassAction.com. If Class Members prefer, they can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Tesla Idle Fee Class Action Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

Class Members may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, (833) 421-7344, by email info@TeslaIdleFeeClassAction.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If Class Members are submitting a Claim Form online, they must do so by **September 25, 2026**. If Class Members are submitting a claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **September 25, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **December 12, 2026** (see Question 16). If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants final approval, and after any appeals are resolved.

The Lawyers Representing Class Members

12. Do I have a lawyer in the case?

Yes, if you are a Class Member. The Court has appointed attorneys Seth Yohalem and Daniel Johnson of Waskowski Johnson Yohalem LLP, and attorneys Dimitrios Korovilas and Jason Wucetich of Wucetich & Korovilas LLP, to represent all Class Members. These attorneys are referred to as Class Counsel.

13. Should I get my own lawyer?

Class Members will not be charged for Class Counsel's services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the Court to approve up to \$1,000,000.00 as reasonable attorneys' fees and up to \$100,000.00 for reimbursement of litigation costs. If approved, these amounts will be paid by Tesla without affecting the benefits to the Class described above.

Class Counsel will also ask for a payment of up to \$10,000.00 to Plaintiff for his service as the Class Representative ("Service Award Payment"). This amount will also be paid by Tesla if approved by the Court.

Commenting on or Objecting to the Settlement

15. How do Class Members tell the Court if they do not like the Settlement?

If a Class Member does not like part or all of the Settlement, they can object to it. Objecting means telling the Court their reasons for why they think the Court should not approve the Settlement. The Court will consider Class Members' views.

Class Members must provide the following information for the Court to consider an objection:

- (1) the name of the Litigation, *Shenkman v. Tesla, Inc.*, Case No. RG21102833;
- (2) the Class Member's full name, mailing address, telephone number, and email address;
- (3) affirmation that they are a Class Member, including (i) the Vehicle Identification Number(s) for the vehicle(s) that provide the basis for membership in the Class or, if not available, (ii) the email address provided to Tesla (if different than the email address provided above);
- (4) the grounds for the objection;
- (6) if the Class Member hired their own lawyer to represent them for the objection, provide the lawyer's name and contact information;
- (7) the Class Member's signature (a lawyer's signature on behalf of a Class Member is not sufficient).

For a written objection to be valid, it must meet each of these requirements.

To be considered by the Court, Class Members must file their complete objection with the Clerk of Court by **September 25, 2026**. They must also send a copy of the objection to the Settlement Administrator.

Clerk of the Court	Settlement Administrator
Clerk of the Court 1225 Fallon Street Oakland, CA 94612	Tesla Idle Fee Class Action Settlement ATTN: Objections P.O. Box 25226 Santa Ana, CA 92799-9958

Class Members may also appear in person at the final approval hearing to present an oral objection to the settlement.

The Court's Final Approval Hearing

16. When is the Court's Final Approval Hearing?

The Court will hold a final approval on **December 2, 2026 at 1:30 pm Pacific Time**, in Room Department 18 of the Superior Court for Alameda County, California, at 1225 Fallon Street, Oakland, CA 94612.

At the final approval hearing, the Court will decide whether to approve the Settlement. The Court will also decide how Class Counsel should be paid, and whether to award a Service Award Payment to the Plaintiff for his service as the Class Representative. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (**See Question 15**).

The date and time of this hearing may change without further notice. Please check www.TeslaIdleFeeClassAction.com for updates.

17. Do Class Members have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. Class Members may attend at their own expense if they wish, but there is no requirement for them to attend.

If a Class Member files an objection, they do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. A Class Member may also pay their own lawyer to attend, but they do not have to.

If Class Members Do Nothing

18. What happens if Class Members do nothing at all?

If a Class Member nothing, they will not receive a cash benefit from this Settlement. They will still receive the non-cash benefits from this Settlement.

The Class Member will also give up the rights described in **Question 8**.

Getting More Information

19. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.TeslaIdleFeeClassAction.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@TeslaIdleFeeClassAction.com
- Call toll free, 24/7: (833) 421-7344
- By mail: Tesla Idle Fee Class Action Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, 1225 Fallon Street, Oakland, CA 94612.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT