

June 21, 2025

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The Honorable Scott S. Harris  
Clerk of Court  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

Re: *Gregory Lala v. Tesla, Inc.*, No. 24-925

Dear Mr. Harris:

The Court should reject petitioners' third attempt to fashion a rationale for vacating the Fifth Circuit's decision. Petitioners and Tesla have now agreed in principle to a settlement that would resolve Tesla's due process claim and are in the process of reducing that agreement to writing. That agreement, not enactment of Louisiana Senate Bill 37, is what will bring this case to an end. *See* Tesla June 17 Letter at 1-2. And as petitioners concede, settlement forecloses the vacatur remedy that they seek. *See* Petitioners' June 20 Letter at 4 (citing *U.S. Bancorp Mortg. Co. v. Bonner Mall P'ship*, 513 U.S. 18 (1994)). Rewarding petitioners with a GVR now would not be an equitable exercise of this Court's discretion, where petitioners are seeking an under-the-wire vacatur of an unfavorable decision just before executing a case-ending settlement.

Moreover, the interlocutory posture of this case—decided on a motion to dismiss—further counsels against granting petitioners the unusual relief they seek. *See, e.g.*, *National Football League v. Ninth Inning, Inc.*, 141 S.Ct. 56, 56-57 (2020) (mem.) (statement of Kavanaugh, J.) (“But the case comes to us at the motion-to-dismiss stage, and the interlocutory posture is a factor counseling against this Court’s review at this time.”); *Abbott v. Veasey*, 137 S.Ct. 612, 613 (2017) (mem.) (statement of Roberts, C.J.). In the unlikely event that further proceedings are needed to address the relevance of Senate Bill 37, the district court provides the proper forum. *See Dixie Nat. Life Ins. Co. v. Ward*, 555 U.S. 938, 129 S.Ct. 82 (mem.) (2008) (denying certiorari from interlocutory appeal, notwithstanding request for GVR based on intervening enactment of new statute).

Respectfully submitted,

/s/ Ari Holtzblatt

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