

# Multiple Fraud and Malfeasance Lawsuits Against Tesla

Thu, 12 Dec 2013 16:00:00, newstips66, [category: brotopia, category: elon-musk, category: energy-dept-slush-fund, category: google-alphabet, category: idea-theft, category: lithium-batteries, category: senator-insider-trading, category: stanford\_univ\_bribes, category: worldnews]

## Active Tesla Fraud-Related Lawsuit Countdown Score-Card

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- [Wohl & Fruchter LLP Tesla Fraud Case](#)
  - [Morgan & Morgan Tesla Fraud Case](#)
  - [The Law Offices of Howard G. Smith Tesla Fraud Case](#)
  - [Brower Piven Tesla Fraud Case](#)
  - [Robbins Geller Rudman & Dowd Tesla Fraud LLP](#)
  - [Levi & Korsinsky, LLP Investor Class Action Against Tesla Motors](#)
  - [Cause of Action Corruption Case #1](#)
  - [Glancy Binkow & Goldberg LLP Tesla Fraud Case](#)
  - [Pomerantz, Grossman, et al Tesla Fraud Case](#)
  - [Bronstein, Gewirtz & Grossman, LLC Tesla Fraud Case](#)
  - **More Coming...**
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(now taking bets on which criminal defense firm Musk hires. Latham, Covington & Burling, Perkins Coie, ??? )

MHT- Vegas T

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## Another Tesla Investigation for fraud:

<http://www.marketwatch.com/story/shareholder-alert-bronstein-gewirtz-grossman-llc-announces-investigation-of-tesla-motors-inc-2013-11-06>

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## YET ANOTHER securities fraud investigation launched on Tesla. Forensic accounting investigations confirm Tesla "cooking the books"!

[http://www.streetinsider.com/Corporate+News/Law+Firm+Looking+Into+Securities+Law+Violations+by+Tesla+\(TSLA\)+for+Potential+Class+Action/8898311.html](http://www.streetinsider.com/Corporate+News/Law+Firm+Looking+Into+Securities+Law+Violations+by+Tesla+(TSLA)+for+Potential+Class+Action/8898311.html)

November 18, 2013

Wohl & Fruchter LLP is investigating potential federal securities law claims against officers and directors of Tesla Motors, Inc. (Tesla) (Nasdaq: TSLA) in connection with alleged violations by Tesla of Securities and Exchange Commission (SEC) rules governing the disclosure of financial metrics that do not comply with Generally Accepted Accounting Principles (GAAP).

On October 2, 2013, Canada's The Globe and Mail published an article questioning the economics of Tesla's business and the quality of its earnings under GAAP. Citing research by Gradient Analytics, the article identified several accounting issues of concern, including reporting non-GAAP revenue and profit that is substantially higher than GAAP revenue and profit due to inclusion in non-GAAP revenue of Model S car sales to buyers to whom Tesla has provided guarantees that they will be able to sell their used vehicle at a particular price. According to Gradient Analytics, this accounting maneuver unrealistically assumes that Tesla "will not lose a dime on a single Model S residual value guarantee."

Other areas of concern at Tesla cited in the article were potentially inadequate accrual of warranty expense; excluding shares Tesla could issue due to convertible debt from share counts when calculating non-GAAP earnings per share; and questionable lengthening of depreciation schedules.

These and other accounting issues prompted an analyst at Gradient Analytics to characterize Tesla as "a firm struggling to find a way to justify its current share price with increasingly complex, apples-to-oranges non-GAAP earnings computations."

On November 5, 2013, Tesla issued a press release reporting its 3Q 2013 results. The headline of the release highlighted non-GAAP profit of \$16 million even though the release later disclosed that Tesla suffered a net loss under GAAP of \$38 million. Tesla also reported non-GAAP revenue of \$603 million versus GAAP revenue of \$431 million (by adding back revenues deferred under GAAP for cars sold with the resale value guarantee).

On November 14, 2013, Bloomberg published an article ("**Are There Cockroaches Under Tesla's Hood?**") highlighting the reference to non-GAAP profit in the headline of the release announcing Tesla's 3Q 2013 results. The article asserts that this headline and other sections of the release violated SEC rules requiring companies to give "equal or greater prominence" to GAAP numbers when they present their financial results. In support of this assertion, the article cites a 2008 article by Wilson Sonsini Goodrich & Rosati -- the law firm that helped take Tesla public -- advising that "if an issuer announces GAAP and non-GAAP earnings per share in its press release, it should report the GAAP earnings per share prior to the non-GAAP earnings per share."

Since the publication of The Globe and Mail article, as well as following media reports of battery fires in at least three Tesla cars, TSLA shares have declined over 25% from a close of \$180.95/share on October 2, 2013, to a close of \$135.45/share on November 15, 2013.

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Updates+ Follow-up:

<http://seekingalpha.com/article/1845172-dissecting-teslas-zev-mythology>

<http://m.theglobeandmail.com/report-on-business/international-business/lavish-tax-breaks-contribute-to-electric-car-markets-success/article15465982/?service=mobile>

<http://mobile.bloomberg.com/news/2013-11-14/are-there-cockroaches-under-tesla-s-hood-.html>

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## Another CLASS ACTION lawsuit against Tesla

**Morgan & Morgan file class action lawsuit against Tesla for Fraud. This makes a record breaking number of lawsuits for fraud against Tesla, with more coming...**

DK- Bost

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**This movie uploaded :**

<http://www.youtube.com/watch?v=uFUNPpn4080>

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**The Lithium ion profiteering scam. Dump, grab the money and run.**

FISKER lithium ion batteries burst into flames at the drop of a hat. This is now **well-known**. Telsa and Fisker funding with tax dollars was more about funding battery company deals for their investors than anything else. Lithium ion Batteries blow up in Boeing's, Tesla's and they just blow up. That is why TSA does not allow liquid on airplanes. That is why AT&T eliminated Lithium ion in its server racks. EVERYBODY knows that lithium ion blows up and releases deadly chemicals, why is this cover-up still going on? Oh, I See: [Profits and kickbacks!](#)

[TESfir3](#)

Everyone was warned about this. Over 100 published reports from major universities and federally funded studies have now been sourced and posted showing that this had been guaranteed to happen by some of the top scientists in the world **prior** to Tesla receiving DOE money. Who owns all these battery companies? Watch for the **WESTON REPORT from a major Huffington Post Journalist** which links every investor in TESLA to all of their political connections and influences. **Invest in Tesla and you will get tracked by numerous investigative reporters.**

Dan

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**Tesla Fraud Lawsuit by Clancy**

<http://www.4-traders.com/TESLA-MOTORS-INC-6344549/news/Tesla-Motors-Inc--Glancy-Binkow-Goldberg-LLP-Announces-Class-Action-Lawsuit-on-Behalf-of-Investor-17489178/>

**Tesla shares slip more on reports of third fire, other car problems**

By Jerry Hirsch- LA Times

November 7, 2013

By Jerry Hirsch November 7, 2013, 8:39 a.m.

[Tesla Motors](#) shares continued to fall Thursday as the automaker confirmed a third fire in one of its high-end electric cars and a major auto reviewer pointed out problems with its Model S luxury hatchback.

The 9%, or \$13.40, decline in mid-morning trading to \$137.76 followed a 15% plunge in the shares Wednesday after the automaker said limited supplies of batteries were hampering sales and that it was spending heavily on research and development to design new models. Tesla shares have been on a run for most of the year, rising about 400% before this reversal.

Car shopping website Edmunds.com said its 2013 Model S was "making an ominous noise under acceleration and deceleration. It originates from the rear of the car and seems to be getting worse."

It is a complaint that's also starting to show up on Tesla's owners forum, an online discussion group hosted by the automaker for drivers of its cars.

"Mine had that and it got bad at 70 mph," said one owner, posting under the "mortgagebruce" moniker.

He said Tesla had to replace the drive unit twice to fix the problem.

Tesla also replaced the drive unit on the Edmunds car, but declined to tell the company what caused the problem. It also replaced the driver door mechanism because of another problem. The car has just less than 11,000 miles on the road.

"We're not sure what to think about the fact that both of these repairs were completed with just one overnight stay," said Mike Schmidt, Edmunds' vehicle testing manager. "Maybe the dealer is really on the ball. Maybe the supply chain is short. Or maybe the parts are readily available because they've seen these before."

[LITHIUM\\_ION\\_EXPLODE2](#)

Tesla spokeswoman Liz Jarvis Shean said she was not familiar with the Edmunds complaint.

Meanwhile, another Model S electric car caught fire Wednesday near Smyrna, Tenn., following a crash. This was the third Model S to have caught fire in the last five weeks. One burned near Seattle and another in Mexico. Both cars were in crashes and the fires injured no one.

Normally, car fires are not significant events that influence investors. There are about 150,000 annually, according to the National Fire Protection Assn. However, safety officials have been tracking fires in electric cars, as well as computers and other equipment, out of concern that the lithium-ion battery systems might be fire-prone.

Earlier this year, federal regulators grounded [Boeing](#) 787 planes for four months after batteries on two planes overheated, with one catching on fire. Boeing later ordered modifications to the jets to increase ventilation and insulation near the batteries, but the company and investigators never determined the root cause of the overheating.

The [National Highway Traffic Safety Administration](#) reviewed the Tesla fire in Seattle and concluded it was caused by the accident rather than a vehicle defect.

Tesla said it contacted the driver of the car in Tennessee and noted he was not injured and "believes the car saved his life. Our team is on its way to Tennessee to learn more about what happened in the accident."

"The problem is that we have three fires in six weeks," said Karl Brauer, senior analyst at [Kelley Blue Book](#), the car information company. "For a company with a stock price based as much or more on image than financials, those recurring headlines are highly damaging."

The Palo Alto automaker said Tuesday it posted a loss of \$38.5 million, or 32 cents per share, in the third quarter. That compares to a loss of \$110.8 million, or \$1.05 per share, in the same period a year earlier. Now that it is delivering cars, revenue grew to \$431 million from just \$50.1 million a year earlier.

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### A123 Lithium Ion Bankruptcy:

By Nathan Bomey, Todd Spangler and Zlati Meyer

Detroit Free Press Staff Writers

Battery maker A123 Systems' Chapter 11 bankruptcy filing Tuesday triggered a fresh round of political criticism of the Obama administration's alternative-energy investments.

The Waltham, Mass.-based company, which has 626 employees and 348 contract workers in three southeast Michigan locations, said auto supplier Johnson Controls had tentatively agreed to pay \$125 million to purchase its automotive-related assets, including the operations in Livonia, Romulus and Ann Arbor.

Republicans immediately compared A123's bankruptcy with the California solar panel manufacturer Solyndra, which filed for bankruptcy and liquidated last year, wiping out a \$500-million loan guarantee from the U.S.

"A123's bankruptcy is yet another failure for the president's disastrous strategy of gambling away billions of taxpayer dollars on a strategy of government-led growth that simply does not work," said Andrea Saul, a spokeswoman for Republican presidential candidate Mitt Romney.

[TESLA\\_BLAST\\_CHAMBER](#)

Battered by recalls, high costs and sluggish consumer adoption of electric vehicles, **A123 lost \$1 billion since its founding in 2001**, despite substantial government support.

The U.S. Department of Energy awarded a \$249-million grant to A123 in August 2009 with promises of 5,900 jobs, mostly in Michigan. The Michigan Economic Development Corp. also awarded A123 more than \$125 million in a variety of tax credits, grants and incentives in 2008 and 2009. The U.S. grant and Michigan incentives drew bipartisan support when they originally were approved.

"This is what's possible in a clean-energy economy -- these folks right here, doing extraordinary work," President Barack Obama said at the White House Rose Garden after meeting A123 employees on April 30, 2010. "This is what happens when we place our bets on American workers and American businesses."

A123 has received \$132 million of its federal grant so far. The Energy Department said Johnson Controls could be eligible for the rest of the funding, but that has yet to be determined. The federal government's investment does not have to be repaid, according to Securities and Exchange Commission filings.

But Americans have not embraced electric vehicles that require regular recharging. In many instances, they are priced significantly higher than their gasoline-fueled counterparts. Even federal and state tax credits have not erased that price premium.

Then the lack of easy-to-find recharging stations has left many motorists worried about being left on a remote dark road without adequate power.

"It was an expansion of manufacturing plants in anticipation of customers who never arrived," Litchfield Hills Research analyst Theodore O'Neill said.

A Johnson Controls spokeswoman declined to comment on whether the company would keep A123's employees. Its acquisition of A123 must be approved by a U.S. Bankruptcy Court judge in Delaware. A123's battery plants remain in production for now.

[Teslabumper](#)

Johnson Controls has a lithium-ion battery plant in Holland, Mich.

A123, which lost \$269 million in the first eight months of the year, according to bankruptcy documents, turned down an interview request.

Democrats responded that during his 2002-06 term as governor of Massachusetts, Romney also provided support to emerging technology firms and some of the investments did not pay off. Meanwhile, the Department of Energy pointed out that A123's investment had bipartisan support from Michigan lawmakers, including incumbent Democratic Sen. Debbie Stabenow and her Republican challenger, Pete Hoekstra.

"Johnson Controls' investment in A123 will help ensure that the U.S. remains competitive in this growing global sector," said former Democratic Michigan Gov. Jennifer Granholm, who promoted battery tax incentives as a way to boost the Michigan economy.

A123's bankruptcy filing comes two months after Chinese auto parts maker Wanxiang Group agreed to invest up to \$450 million to acquire up to 80% of A123. But that deal fell apart as A123 was set to burn through \$400 million in cash over the next 12 months, O'Neill said.

Instead, Johnson Controls is cherry-picking the best assets out of A123, O'Neill said.

Johnson Controls also was awarded a \$299-million Energy Department grant for its lithium-ion battery plant in Holland. The company's spokeswoman declined to comment on whether that plant would be affected by the A123 deal.

Barclays analysts said in a research note that the deal would make Johnson Controls "the dominant surviving" U.S.-based lithium battery maker.

A123 shares, which closed Monday at 24 cents, fell 75% to 6 cents on Tuesday.

**Many sophisticated A123 investors have lost millions, including global conglomerate General Electric, which had invested about \$70 million by 2009.**

**Dan Leistikow**, an Energy Department spokesman, said in a blog post that the government's investment had produced meaningful battery innovation that would live on.

In its bankruptcy petition, A123 listed total assets of \$459.8 million and liabilities of \$376 million.

The company's biggest customer is California start-up Fisker Automotive, which plans to keep the contract with Johnson Controls through at least the first quarter of 2013, spokesman Roger Ormisher said.

General Motors, which picked A123 as the battery supplier for the Chevrolet Spark electric vehicle, said it would accept Johnson Controls as its new battery provider.

**In, and during, the following Tesla Proposal, Tesla told Singapore, and a number of other countries, that the battery system was totally safe, even though they had filed patent documents and regulatory documents, now revealed in other articles, which stated otherwise:**

#### Tesla Plan for International Expansion

By Teresa Bergmann, Vu Nguyen, Astrid Santiago, Sean Yang

[READ MORE>>>](#)

#### Character + Competence = Trust

(With a tip of the hat to John McDonough at Boston Globe)

It was supposed to be the **greatest initiative** of an administration.

It was said to be an effort designed to be a **history book legacy deliverable** that the world would never forget.

It was an effort, the public is told, that **the greatest minds** had put the most **extensive due-diligence**, ever devised, into.

It was an effort that had **the most money** ever dedicated to any similar initiative resourced to it.

It turned out to be **one of the most stunning technical and due diligence failures** in human history to-date.

OK... **now guess?**:

Am I talking about **DOE** or **ACA**?

Do you see a pattern here?

D.- DenverPost

(Picture above- How did so much our your tax money go from here to Silicon Valley VC's?)

#### Lithium ion Kills more than workers, it kills companies!

From THE VERGE, By Sean Hollister

"If you build it, they won't necessarily come.

In 2009, the Obama administration invested **\$1.2 billion** into US-based factories creating batteries for electric vehicles. **The result was a disaster. One by one, every company that received federal funding went belly-up or admitted the money hadn't had a real impact.** For instance, LG-owned Compact Power quietly revealed that it hadn't produced a single battery in over two years of operation, while A123 Systems' higher-profile bankruptcy was viewed as **the second coming of failed solar panel-maker Solyndra**. Even with hundreds of millions of dollars of federal funding, key electric vehicle contracts went to Japanese and Korean factories instead of their American equivalents."

#### DEMAND THAT STEVEN CHU AND HIS HANDLERS DISCLOSE THEIR LITHIUM ION INVESTMENTS

D. P. - LAT

[MORE ON CRIMES HERE>>>](#)

[EVEN MORE ON CRIMES HERE>>>](#)

<http://video.foxbusiness.com/v/2849254531001/teslas-troubles-on-the-rise/>

Tesla Motors' Reeled-In Outlook May or May Not Be a Supply ...

James E. Brumley; Discovering Small Cap Stocks: Tesla Motors' Reeled-In Outlook May or May Not Be a Supply Problem: GM, NSANY, TM, TSLA Poked and Prodded. smallcapnetwork.com/Tesla-Motors-Reeled-In-Outlook-May-or-M...

Did Elon Musk Mislead Fox About Problems At Tesla?

Skip to comments. Did Elon Musk Mislead Fox About Problems At Tesla? Silicon Beat ^ | September 27, 2012 | Chris O'Brian Posted on 09/29/2012 12:15:31 AM PDT by Cincinnatus' Wife

freerepublic.com/focus/f-news/2937867/posts

Tesla reveals serious financial problems - TheEESStory

Tesla plans to issue 5,000,000 shares in an attempt to raise \$147 million. But, they have some credibility problems that may spook investors. The 5,000 model S... theestory.ning.com/xn/detail/6495062:Comment:38947?xg\_sour...

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