

EXHIBIT B



GRANTED

EFiled: Jul 17 2023 09:15AM EDT
Transaction ID 70400417
Case No. 2022-1095-PAF



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE TUSIMPLE HOLDINGS, INC.
STOCKHOLDER LITIGATION

C.A. No. 2022-1095-PAF

**[PROPOSED] ORDER GRANTING THE NASBAUM
GROUP'S LEADERSHIP APPLICATION**

The Court having considered the application of Plaintiffs Jason Nusbaum and Richard A. Green (together "Plaintiffs"), the Nasbaum Group's Leadership Application for Appointment of the Nasbaum Group as Lead Plaintiffs and to Appoint Grant &Eisenhofer, P.A. ("G&E"), Block & Leviton LLP("B&L") and Labaton Sucharow LLP ("Labaton") as Co-Lead Counsel Delaware Counsel, and having found good cause therefor,

IT IS HEREBY ORDERED this ____ day of _____, 2023 that:

1. The Application is GRANTED.
2. The Nasbaum Group Plaintiffs are appointed as Lead Plaintiffs.
3. G&E, B&L and Labaton are appointed as Co-Lead Counsel.
4. Lead Counsel shall have sole power and authority to speak for the plaintiffs in the above-captioned action (the "Action") concerning pre-trial procedures, trial, and settlement. In consultation with Lead Plaintiffs, Lead Counsel shall set policy for plaintiffs for the prosecution of this litigation, delegate and monitor the work performed by selected plaintiffs' attorneys, and coordinate

and direct the conduct of discovery, pre-trial procedures, trial, settlement, and all other matters concerning the prosecution and resolution of the Action. No motion, request for discovery, or other pretrial or trial proceedings shall be initiated or filed by any plaintiffs except Lead Plaintiffs through Lead Counsel. Defendants' counsel may rely upon all agreements made with Lead Counsel, and such agreements shall be binding on all plaintiffs.

Vice Chancellor Paul A. Fioravanti, Jr.

This document constitutes a ruling of the court and should be treated as such.

Court: DE Court of Chancery Civil Action

Judge: Paul A Fioravanti Jr

**File & Serve
Transaction ID:** 70140767

Current Date: Jul 17, 2023

Case Number: 2022-1095-PAF

Case Name: CONF ORD CONSOL W 22-1157-PAF, 23-0279-PAF/ IN RE TUSIMPLE HOLDINGS, INC. STOCKHOLDER LITIGATION

Court Authorizer: Paul A Fioravanti Jr

**Court Authorizer
Comments:**

The court has reviewed the competing submissions among the two plaintiff groups and their proposals for a lead counsel structure. The Nusbaum group has submitted a detailed motion applying all of the Hirt factors to support its application. See *Hirt v. U.S. Timberlands Serv. Co., LLC*, 2002 WL 1558342 (Del. Ch. July 2002). By contrast, Young did not attempt to address any of the Hirt factors, thus amounting to a default. Young agrees that the Nusbaum group may serve as lead counsel to litigate its claims, but requests that Young and his counsel should also be appointed lead counsel solely to pursue his claims concerning the safety of TuSimple's technology, which are not asserted in the Nusbaum group's proposed amended complaint. I deny Young's application for three reasons. First, "this court has repeatedly declined to craft its own leadership structure in lieu of selecting a team that the parties have formed themselves." *Ryan v. Mindbody, Inc.*, 2019 WL 4805820, at *4 & n.13 (Del. Ch. Oct. 1, 2019). Second, Young's Balkanized lead counsel structure is an invitation for dysfunction and inefficiency. See *In re Northwest Biotherapeutics, Inc.*, 2022 WL 1645597, at *4 (Del. Ch. May 23, 2022) ("A complex leadership structure involving a number of firms can lead to significant duplication of effort and decisional inefficiencies.") (internal quotations omitted). Third, Young has not attempted to justify his application to serve as lead counsel under the Hirt factors. Accordingly, the Nusbaum group's application is granted.

/s/ Judge Paul A Fioravanti Jr