

Judge says Twitter-Musk trial still on track

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Neither Twitter nor Elon Musk have asked the court to put the case on hold, so the judge ruled she would 'continue to press on toward our trial'

The judge presiding over Twitter's legal battle to hold Elon Musk to his \$44-billion buyout deal said Wednesday the case was still on course for trial—despite the billionaire's apparent U-turn.

Neither Twitter nor Musk have asked the court to put the case on hold, so "I, therefore, continue to press on toward our trial" set to start on October 17, Judge Kathaleen McCormick said in a ruling.

McCormick ruled on motions regarding efforts by Twitter to get hold of messages, documents or depositions that could be used as trial evidence in Delaware's Chancery Court.

McCormick said in the ruling that Musk's side had failed to provide Twitter with copies of all the messages he exchanged about the buyout deal, and "likely" let some Slack messages be automatically deleted.

"If Defendants deleted documents after they were under a duty to preserve, some remedy is appropriate, but the appropriate remedy is unclear to me at this stage," McCormick said in her ruling.

She added that she will reserve judgment on the matter until after the trial, when she has "a fuller understanding of the record."

Musk on Tuesday offered to push through with his buyout of Twitter at the original agreed price, as the trial over his efforts to withdraw from the deal loomed.

The Tesla founder said in a filing with the Securities and Exchange Commission that he sent Twitter a letter vowing to honor the contract.

Conditions of his offer included halting the litigation, but McCormick made it clear she had received no such request.

Given that Musk has already tried to walk away from the deal once, the judge is expected to seek assurances that he will keep to his word this time around.

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