



DENIED

EFiled: Apr 04 2018 04:44PM EDT
Transaction ID 61876272
Case No. 12844-VCMR



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

STEPHEN APPEL, Individually and on)
Behalf of All Others Similarly Situated,)

Plaintiff,)

v.)

C.A. No. 12844-VCMR

DAVID J. BERKMAN, STEPHEN J.)
CLOOBECK, RICHARD M. DALEY,)
FRANKIE SUE DEL PAPA, JEFFREY)
W. JONES, DAVID PALMER, HOPE)
S. TAITZ, ZACHARY D. WARREN,)
ROBERT WOLF, and CENTERVIEW)
PARTNERS LLC,)

Defendants.)

**[PROPOSED] ORDER GRANTING THE DIRECTOR DEFENDANTS’
MOTION TO STAY DISCOVERY**

WHEREAS, Defendants David J. Berkman, Richard M. Daley, Frankie Sue Del Papa, Jeffrey W. Jones, David Palmer, Hope S. Taitz, Zachary D. Warren, and Robert Wolf (the “Director Defendants”), having moved the Court for an order staying discovery in the above-captioned action, and the Court having considered such motion,

IT IS HEREBY ORDERED this ___ day of _____, 2018 that the motion is GRANTED and all discovery directed to the Director Defendants is STAYED pending resolution of Defendants’ Renewed Motion to Dismiss Plaintiff’s Verified Class Action Complaint.

Vice Chancellor

Court: DE Court of Chancery Civil Action

Judge: Tamika Montgomery-Reeves

File & Serve

Transaction ID: 61783806

Current Date: Apr 04, 2018

Case Number: 12844-VCMR

Case Name: CONF ORD - Stephen Appel v. David J. Berkman

Court Authorizer: Montgomery-Reeves, Tamika

Court Authorizer

Comments:

Before me is defendants' motion to stay discovery. A motion to stay discovery is addressed in the sound discretion of the trial court. E.g., Orloff v. Schulman, 2005 WL 333240, at *1 (Del. Ch. Feb. 2, 2005). As such, I am tasked with balancing the interest of the moving party in avoiding wasteful litigation costs against the need of the party in opposition to timely prepare the matter for resolution by the Court. Id. This Court often grants motions to stay discovery where a case dispositive motion will, if successful, end the litigation. But that does not appear to be the case here. Thus, the motion to stay discovery is denied.

/s/ Judge Montgomery-Reeves, Tamika