



GRANTED

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

GARY STAFFIERI and
ADRIA CHARLES STAFFIERI

Plaintiffs,

v.

C.A. No. 7439-VCL

HENRY BLACK and MARY LOU BLACK and
RAYMOND BUCHTA and SCOTT BLACK
BLACKBALL PROPERTIES LLC, and
PAUL MILLER AND CANDY MILLER, and
GAKIS PROPERTIES II, LLC

Defendants.

[PROPOSED] FINAL ORDER AND JUDGMENT

On this _____ day of _____, 2013, having considered certain affidavits submitted by Plaintiffs Gary Staffieri and Adria Charles Staffieri (the "Plaintiffs") in support of an award of attorneys' fees and costs as awarded in this Court's October 24, 2012 Post-Trial Order (the "Decision"), it is HEREBY ORDERED as follows:

1. Judgment is entered in favor of Plaintiffs and against Defendants Henry Black, Mary Lou Black, Raymond Buchta, Scott Black, Blackball Properties, LLC, Paul Miller, and Candy Miller in the amount of \$166,483.94.

2. Post-judgment interest is awarded at the legal rate from the date of this Order to the date of satisfaction.

3. The Register in Chancery shall forthwith forward to the Prothonotary of the Superior Court of the State of Delaware in and for New Castle County a certified copy of this Final Order and Judgment to be entered by the Prothonotary in the same amount and form and in the same books and indexes as judgments and orders in accordance with 10 *Del. C.* § 4734.

4. This judgment may be supplemented with any attorneys' fees and costs incurred by Plaintiffs in any appeal of the Decision in the above-captioned action or of this Order as well in any remand from the Delaware Supreme Court, unless this Court's award of attorneys' fees and costs has been reversed.

IT IS SO ORDERED.

The Honorable J. Travis Laster

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

Court: DE Court of Chancery Civil Action

Judge: J Travis Laster

File & Serve

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Current Date: Jan 31, 2013

Case Number: 7439-VCL

Case Name: APPEAL Staffieri, Gary et al vs Mary Lou Black Henry Black et al

Court Authorizer: Laster, J Travis

Court Authorizer

Comments:

Despite ample time to do so, the defendants have not filed any opposition to the reasonableness of the requested amount of fees and expenses.

The Court has reviewed the requested amounts and believes they are reasonable under the factors set forth by the Delaware Supreme Court in the decision of Mahani v. Edix.

The Court recognizes that there is an appeal pending in this matter. In light of the award of fees and expenses, the Court did not intend for the post-trial order from which the appeal was taken to be its final act in the case. If it is determined that the appeal was validly taken and that this Court is without ongoing jurisdiction to quantify the fee award, then the Court will revisit the issue of fees and expenses, to the extent necessary, after and in compliance with the Supreme Court's mandate.

/s/ Judge Laster, J Travis