

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CALLISON INC., TIMOTHY MICHAELS, :
CLARE LIEBERMAN, RHANEY PATRICKS, :
JULIO LUIS-ROJAS, PATRICK AUSTIN, :
MARSHA FRANKLIN, ARI SINGH and :
ALLEN ENTERPRISES INCORPORATED, : No. _____ , 2013
:
:
Defendants Below, :
Appellants, :
:
v. :
:
GALENA CAPITAL PARTNERS, LLC., :
:
:
Plaintiff Below, :
Appellee. :

NOTICE OF APPEAL FROM INTERLOCUTORY ORDER

To: Philip P. Seitz, Esquire
Geddes, Arsht, Herndon, Lessner & Lamb LLP
Wilmington, Delaware 19801

PLEASE TAKE NOTICE that defendants below-appellants Callison Inc., Timothy Michaels, Clare Lieberman, Rhaney Patricks, Julio Luis-Rojas, Patrick Austin, Marsha Franklin, Ari Singh and Allen Enterprises Incorporated (collectively, the “Defendants”) do hereby petition this Court to accept an appeal from an interlocutory order of the Court of Chancery of the State of Delaware, and represent as follows:

- (1) The Court of Chancery, by the Honorable Aaron Nelson, Chancellor, entered the interlocutory order on January 15, 2013;
- (2) An application for certification of the interlocutory order was filed by the Defendants with the trial court on January 17, 2013;
- (3) Appellee’s response to the application was filed in the trial court on January 18, 2013; and

(4) The action of the trial court with respect to such application was to grant the application, by letter dated January 21, 2013.

The name and address of the attorney for the appellee is Philip P. Seitz, Esquire, Geddes, Arsht, Herndon, Lessner & Lamb LLP, 1315 King Street, Suite 1420, Wilmington, Delaware 19801.

The party against whom the appeal is taken is Galena Capital Partners, LLC.

In accordance with Rules 7(c)(6) and 9(e)(ii), attorneys for the Defendants have determined that no further transcript of the proceedings below need be ordered because all such transcripts have been prepared and filed in the court below.

Dated: January 23, 2013

/s/ Claire T. Westerduin
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Attorney for Defendant Below-
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/s/ Michael L. Thomas
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/s/ Aiden M. Margules
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Attorney for Defendant Below-
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Incorporated