

WILLIAM B. CHANDLER III
CHANCELLOR

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DELAWARE 19947

Submitted: February 27, 2006
Decided: March 2, 2006

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Re: *UniSuper Ltd., et al. v. News Corporation, et al.*
Civil Action No. 1699-N

Dear Counsel:

Presently before the Court is plaintiffs' motion to compel discovery from defendants. Based on my review of the briefs, I grant the motion in part.

With respect to interrogatory no. 6 of plaintiffs' first set of interrogatories, and interrogatory nos. 16 and 10 of plaintiffs' second set of interrogatories, I am persuaded that plaintiffs are entitled to more detailed interrogatory responses. Defendant shall supplement their response. With respect to interrogatory no. 1 of plaintiffs' second set of interrogatories, I expect defendants to describe in detail

their reasons for denying the facts they were asked to admit in plaintiffs' first request for admissions.

Finally, defendants have refused to respond to certain interrogatories on the grounds of attorney-client privilege. Plaintiffs seek to discover what legal advice defendants received in connection with the board policy at issue in this case. Based on my review of the briefs, I am persuaded that plaintiffs' discovery request is relevant to proving the first and the third elements of plaintiffs' promissory estoppel claim. I also note that the briefs make clear that the disputed legal advice was not provided in anticipation of this litigation and that the information is not obtainable by other means. Nevertheless, I direct defendants to produce the requested documents to me for *in camera* inspection before they are provided to plaintiffs. If I determine that the documents are indeed relevant, I will order that they be produced to plaintiffs.

Very truly yours,

A handwritten signature in black ink that reads "William B. Chandler III". The signature is written in a cursive, flowing style. The "III" is written as three distinct vertical strokes.

William B. Chandler III

WBCIII:wbg