

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

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VICE CHANCELLOR

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January 6, 2015

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Re: *Horsey v. Horsey & Sons, Inc. et al.*
Civil Action No. 8972-VCG

Dear Counsel:

I have reviewed the unredacted version of the “talking points” email from Mr. McAllister to David and Patricia Horsey, which includes an earlier email communication from Patricia Horsey to McAllister. The redacted email has four redacted areas, which I will address as they appear from top to bottom.

The first redaction deals solely with settlement negotiations and is unrelated to the portion of the document from which David Horsey appeared to testify; that material need not be disclosed. The second redaction, a full paragraph beginning “If you focus on these points. . .” relates directly to the portion of the document

from which Mr. Horsey testified; any privilege attached to this paragraph has been waived. The third and fourth redacted sections are attorney client communications unrelated to Mr. Horsey's testimony and may remain redacted. A copy of the email with the second redacted portion unredacted should be provided to Plaintiff's counsel and made a part of the record forthwith. IT IS SO ORDERED.

Sincerely,

/s/ Sam Glasscock III

Sam Glasscock III