

IN THE SUPREME COURT OF THE STATE OF DELAWARE

AN NGUYEN, Individually and On	§
Behalf of All Others Similarly Situated,	§ No. 550, 2015
	§
Plaintiff Below,	§ Court Below—Court of Chancery of the
Appellant,	§ State of Delaware
	§
v.	§ C.A. No. 11511-VCG
	§
MICHAEL G. BARRETT, THOMAS	§
R. EVANS, ROBERT P. GOODMAN,	§
PATRICK KERINS, ROSS B.	§
LEVINSOHN, WENDA HARRIS	§
MILLARD, JAMES A. THOLEN,	§
AOL INC., and MARS	§
ACQUISITION SUB, INC.,	§
	§
Defendants Below,	§
Appellees.	§

Submitted: October 8, 2015

Decided: October 9, 2015

Before **HOLLAND**, **VAUGHN**, and **SEITZ**, Justices.

ORDER

This 9th day of October 2015, having considered the notice of emergency appeal from interlocutory order, it appears to the Court that:

(1) The plaintiff-below/appellant, An Nguyen (“Nguyen”), has petitioned this Court, under Supreme Court Rule 42, to accept an appeal from the Court of Chancery’s October 8, 2015 bench ruling denying her request for preliminary injunctive relief to require supplemental disclosures in a merger transaction set to

close on October 16, 2015. By letter decision and order dated October 8, 2015, the Court of Chancery denied Nguyen's application for certification.

(2) Having considered the transcript of the October 8 oral argument on the motion for a preliminary injunction and the bench ruling denying preliminary injunctive relief, the Court agrees with the Court of Chancery's letter decision and order denying the application for certification. The Court concludes that interlocutory review of the October 8 bench ruling denying the motion for a preliminary injunction is not warranted under Rule 42(b)(iii)(A) - (H).

(3) Applications for interlocutory review are addressed to the sound discretion of the Court. In the exercise of discretion, the Court has concluded that the application for interlocutory review should be refused.

NOW, THEREFORE, IT IS HEREBY ORDERED that the interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice