



IN THE SUPREME COURT OF THE STATE OF DELAWARE

ELDON KLAASSEN,	§	
	§	No. 583, 2013
Plaintiff and Counterclaim-	§	
Defendant Below,	§	Court Below: Court of Chancery
Appellant,	§	the State of Delaware
v.	§	No. 8626
	§	
ALLEGRO DEVELOPMENT,	§	
CORPORATION, RAYMOND HOOD,	§	
GEORGE PATRICH SIMPKINS, JR.	§	
MICHAEL PEHL, and ROBERT	§	
FORLENZA,	§	
	§	
Defendants and	§	
Counterclaimants Below,	§	
Appellees.	§	

Submitted: December 18, 2013
Decided: December 20, 2013

Before **HOLLAND**, **BERGER**, **JACOBS**, and **RIDGELY**, Justices and **JOHNSTON**, Judge,* constituting the Court *en Banc*.

ORDER

This 20th day of December, 2013, it appears to the Court that:

IT IS HEREBY ORDERED, and the Court unanimously concludes, that the Court of Chancery's judgment must be AFFIRMED. We hold that the Appellant's claim for relief was equitable in nature and, therefore, was subject to equitable defenses. We further hold that the evidence supports the Court of Chancery's

* Sitting by designation pursuant to art. IV, § 12 of the Delaware Constitution and Delaware Supreme Court Rules 2 and 4(a) to constitute the quorum as required.

finding that the Appellant acquiesced in the Allegro board's removal of the Appellant as CEO. An Opinion setting forth our reasoning will follow in due course. A special mandate shall issue today reserving jurisdiction in this Court solely for the purpose of issuing the Opinion.

BY THE COURT:

/s/ Jack B. Jacobs
Justice