



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Register in Chancery
Kent County
38 The Green
Dover, DE 19901
302-735-1930

Register in Chancery
New Castle County
500 N. King Street, Ste. 11600
Wilmington, DE 19801
302-255-0544

Register in Chancery
Sussex County
34 The Circle
Georgetown, DE 19947
302-856-5775

Procedures for filing a Civil Action Document in the Court of Chancery

- I. The document must be created by the filer(s) on the computer in font type Times New Roman and font size 14-point font.
 - ✓ The clerk cannot complete the document for you or determine what you should say.
 - ✓ The filer(s) will need to have their signature(s) notarized. (If the filer(s) appear(s) in the Register's office with identification & the correct paperwork, their signature(s) can be notarized by a clerk in the Register's office.)
- II. All filings must be submitted with the correct filing fee and/or scanning fee. The fee chart under Rule 3(bb) is attached to this packet.
 - ✓ Payment must be received at the time of filing, or the document will not be accepted by our office. We accept cash, check or money order (made payable to the "Register in Chancery").
 - ✓ No credit/debit cards.
 - ✓ In addition, there is a \$2.00 per page filing fee for all documents filed with the Court.
- III. Pro Se persons cannot file a document on behalf of a Delaware entity. Any party who is a company, corporation, or other non-individual party, must be represented by a licensed Delaware attorney.
- IV. It is the filer's responsibility to provide the Court with photocopies of all supporting documentation. If the Register in Chancery's office makes photocopies for you, we will charge \$1.50 per page.
- V. All documents filed after the new-case filing must be sent to the opposing party or attorney, and include a Certificate of Service form, a sample of which is attached.
- VI. The filer must protect personal information and account numbers ("Personal Identifiers") as shown in the enclosed Rule 79.1(j). All personal identifying information must be blacked or whited out by the filer.
- VII. Included with this packet is a Verification to Complaint form. This form must be completed by the filer(s) when they are filing a counterclaim, cross-claim, or third-party complaint. All answers to a complaint must repeat the allegations of the complaint, then set forth the response below each allegation (Court of Chancery Guidelines for Litigants Section 5a.). A sample answer is attached.
- VIII. Additional information, Court Rules and forms may be found online at <http://courts.delaware.gov> then select Court of Chancery.

Please call the respective county in which you intend to file your document should you have any questions. They are listed at the top of this page.



**OFFICE OF THE REGISTER IN CHANCERY
COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

Below is a list of some things that court staff can and cannot do for you.
Please read it carefully before asking the court staff for help.

**WE
CAN:**

**WE
CAN**

- Explain and answer questions about how the court works.
- Tell you what the requirements are to have your case considered by the court.
- Give you information from your case file
- Make you copies of court documents from your case file (\$1.50 per page fee applies)
- Provide you with samples of court forms that are available.
- Explain generally the different forms.

**BUT,
WE
CANNOT:**

**BUT WE
CANNOT**

- Give you legal advice. Only a lawyer can give you legal advice.
- Tell you what is the best way to protect your interests for your case
- Help you select which form you should file.
- Tell you what you should write on a court document.
- Tell you what options to choose on a form, but we can explain generally what the options are.
- Tell you whether or not you should bring your case to court.
- Give you an opinion about what will happen if you bring your case to court.
- Recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- Let you talk to the judge outside of the courtroom.
- Explain an order issued by a judge, commissioner or master.

1-1-16.00
 Rec-764649

SAMPLE

EFiled: Aug 29 2016 11:43AM EDT
 Transaction ID 59483244
 Case No. 12566-MZ



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN THE MATTER OF THE)
 ESTATE OF WALTER LEE WYATT)

Theodore R. Gregory and)
 Angela Gregory)
 Petitioners)

Civil Action No.: 12566-MZ

v.)

Folio No. 161904

Dorien M. Snyder)
 Respondent)

RESPONDENT'S RESPONSE TO PETITION DIRECTING THE PERSONAL REPRESENTATIVE TO PAY FOR THE COST OF THE FUNERAL EXPENSE AS DIRECTED BY THE LAST WILL AND TESTAMENT OF THE DECEDENT

1. Petitioners Theodore R. Gregory and Angela Gregory, are heirs of the Estate of Walter Lee Wyatt, and reside in New Castle County, Delaware.
 - Denied. Petitioners Theodore R. Gregory and Angela Gregory are heirs of the Decedent's Residence, 304 E. 27th Street, Wilmington, Delaware, 19802.
2. Respondent Dorien M. Snyder is the appointed Executor or Personal Representative of the Estate of Walter Lee Wyatt, and she resides at 2514 N. Locust Street, Wilmington, Delaware, 19802.
 - Admitted.
3. The Decedent departed this life on August 9, 2015, having executed his Will dated April 1, 2008, which is attached hereto as Exhibit A.
 - Respondent admits to the Decedent departed this life on August 9, 2015. Respondent has insufficient personal knowledge to Admit or Deny that the Will was executed on April 1, 2008.

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 REC'D
 CHANCERY

4. The FIRST item of Decedent's Will directed the Executor (Personal Representative) to pay his funeral expenses.

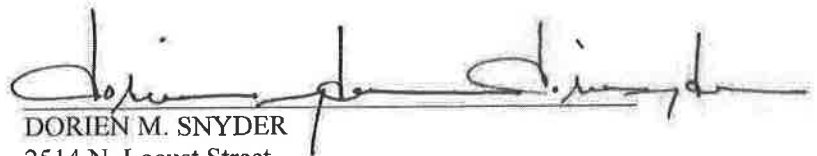
- Admitted. The funeral expenses were already paid by the Petitioners who were sole beneficiaries of Life Insurance Policies of the Decedent. At the time of Decedent's death, there were no liquid assets to pay said expenses; hence, the only funds that were accessible were the Life Insurance Policies the Petitioners received.

5. There are more than sufficient personal assets in the Estate to pay the funeral expenses, however, the Executor, Dorien M. Snyder, has failed to pay said cost in the amount of \$8,541.00.

- Denied. There are insufficient liquid assets in the Estate to pay funeral expenses. Insurance funds were set aside for the funeral expenses that were paid directly to the Plaintiffs which were not used for that purpose. In addition to the Life Insurance Policies were sole beneficiaries of the Decedent's Residence known as 304 East 27th Street, Wilmington, Delaware 19802, beneficiaries of the Decedent's personal vehicle; tangible and personal items of the residence which were to be devised and bequeathed to the Grandchildren (4) pursuant to the FOURTH item of Decedent's Will. To date, the Petitioners have yet to surrender those items. The tangible and personal properties could have added financial value to the Estate if Respondent was granted access to obtain.

6. Petitioner(s) have requested that the Respondent Dorien M. Snyder to perform according to the FIRST item of Decedent's Last Will and Testament and she has refused.

- Admitted. Respondent is currently seeking to see the only asset of the Estate to raise revenue for remaining creditors and attorney fees of the Estate.


DORIEN M. SNYDER
2514 N. Locust Street
Wilmington, DE 19802
Executrix of the Last Will and Testament
of Walter Lee Wyatt

Sworn to and Subscribed before me
this 26 day of Aug. 2016

Register in Chancery

CERTIFICATE OF SERVICE

I, Person's name, hereby certify that on this _____ day of _____
2008 that I caused a copy of my Name of documents(s) to be served by
how documents were served on the following party or parties:

Names and addresses of those served listed out here.

SAMPLE

Signature

~~do~~ must accompany any document
filed ; served on opposing
side (except for a new
complaint)

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

_____, Plaintiff

v.



CA No. _____

_____, Defendant

CERTIFICATE OF SERVICE

I, _____ hereby certify that on this
_____ day of _____, 201____,

I served a copy of the foregoing _____ document(s)

upon the following Party listed below by Certified Mail or Hand Delivery.

To _____

(Signature of Pro Se Plaintiff)

Address

Contact Number

VERIFICATION TO COMPLAINT

I, plaintiff's name , duly sworn, hereby depose and say that the statements in the foregoing verified complaint are true and correct to the best of my knowledge, information, and belief.

SAMPLE

Signature

SWORN TO AND SUBSCRIBED
before me this ____ day of _____ 2008.

Notary Public/Register in Chancery

VERIFICATION TO COMPLAINT

I, _____, Plaintiff, duly sworn, do hereby verify that the statements in the foregoing verified complaint/petition are true and correct to the best of my knowledge, information, and belief.

Plaintiff's Signature

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20__.

Notary Public

Court of Chancery Rule 79.1. Electronic filing.

(a) The electronic filing of documents in the Court of Chancery of the State of Delaware shall be referred to as "eFile" or "eFiling".

(b) Every civil action and civil miscellaneous action in the Court of Chancery is subject to electronic filing ("eFiling"). Any rule or procedure that refers to or requires the filing of a document shall mean that the document must be eFiled. Each document that must be filed under the Rules shall be eFiled unless otherwise ordered by the Court. Paper copies of any complaint, praecipe, and supplemental information form also shall be filed if necessary to facilitate service of process or as required by the Rules and by statute. Exceptions for eFiling certain documents, along with the requirement for delivering paper copies to the presiding judge, are set forth in the Court's operating procedures.

(c) The Chancellor shall establish administrative procedures for the eFiling of documents, which procedures may be found in the Court's operating procedures.

(d) A technology surcharge of \$1.25 per document shall be assessed in each eFile case for the purpose of a fund to operate the eFiling system. The Court shall expend the funds solely for the purpose of operating and maintaining the eFiling system. The technology fee is not imposed on filings by the Department of Justice or by indigent parties or their counsel. Additional fees may be charged in accordance with the Rules of the Court and the Court's operating procedures.

(e) No Delaware lawyer shall authorize anyone to eFile on that lawyer's behalf, other than an employee of his/her law firm or service provider retained by that lawyer to assist in eFiling.

(f) No person shall use, or allow another person to use, the password of another in connection with any eFiling.

(g) The eFiling of a document by a lawyer, or by another under the authorization of a lawyer, shall constitute a signature of that lawyer under Court of Chancery Rule 11.

(h) Each electronically filed document shall bear an original, facsimile, or typographical signature of an attorney at the firm authorizing the filing or by the pro se party authorizing the filing. Each document eFiled by or on behalf of a party also shall include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Delaware bar number. If an affidavit or declaration is signed by any person other than a Delaware attorney, the filing party shall maintain the original signed document during the pendency of the litigation and shall make the original available, upon reasonable notice, for inspection by other counsel, the Register in Chancery, or the Court.

(i) Unless otherwise ordered, the electronic service of a document, in accordance with the Court's operating procedures, shall be considered service under Court of Chancery Rule 5. Service by electronic means shall be treated in the same manner as service by hand delivery.

(j) Personal identifying information. -- Parties shall refrain from including, or shall redact where inclusion is necessary, the following personal identifiers from all documents filed with the Court in civil actions, unless otherwise ordered by the Court: social security numbers, names of minor children, dates of birth, and complete financial account numbers. Caution also should be exercised when filing in civil actions documents that contain personal identifying numbers, such as driver's license numbers, medical records, treatment, and diagnosis, employment history, individual financial information, and proprietary or trade secret information. It is the sole responsibility of counsel and pro se parties to be sure that all pleadings comply with the rules of this Court requiring redaction of personal identifiers. The Register in Chancery will not review each pleading for redaction.

(k) If an electronic filing is not filed and served with the Register in Chancery because of (1) an error in the transmission of the document to File & Serve Xpress, which error was unknown by the sending party, (2) a failure to process the electronic filing when received by File & Serve Xpress, (3) rejection by the Register in Chancery, or (4) other technical problems experienced by the filer, the Court may upon satisfactory proof enter an order permitting the document to be filed or served nunc pro tunc to the date it was first attempted to be sent electronically.

II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS, AND ORDERS; DEPOSIT AND SECURITY FOR COSTS.

Court of Chancery Rule 3. Commencement of action.

(a) Complaint. –

(1) An action is commenced by filing with the Register in Chancery a complaint or, if required by statute, a petition or statement of claim all hereafter referred to as "complaint." Sufficient copies of the complaint shall be filed so that 1 copy is available for service on each defendant as hereafter provided, unless the Court orders otherwise.

(2) Each complaint, when accepted for filing by the Register in Chancery, shall be accompanied by a covering sheet in the form adopted by the Court and containing information which the Court shall determine is necessary and appropriate.

(aa) Verification. -- All complaints, counterclaims, cross-claims and third party complaints, and any amendments thereto, shall be verified by each of the parties filing such pleading. Every pleading, except that filed by a corporation, which is required to be verified by a statute or by these Rules shall be under oath or affirmation by the party filing such pleading that the matter contained therein insofar as it concerns the party's act and deed is true, and so far as it relates to the act and deed of any other person, is believed by the party to be true. Every pleading by a corporation which must be verified shall be verified under oath or affirmation by the chairperson or vice-chairperson of the board of directors, by the president, by a vice-president, by a secretary, by an assistant secretary, by the treasurer, or by an authorized agent and shall be under the seal of a corporation.

(b) Nonrefundable deposit for costs. -- The Register in Chancery shall not file any paper or record or docket proceeding until a nonrefundable deposit for fees and costs has been made with the Register. Such deposit is \$ 100 for all matters except those specifically stated herein. The Register in Chancery shall apply the deposit from time to time in payment of the fees and costs of the Register's office. If the amount of the deposit is expended in payment of such fees and costs as they accrue from time to time, the Register shall demand and receive such additional amount as shall be necessary in the Register's judgment to defray fees and costs for additional services before any such services shall be performed. If the amount of the deposit is not exhausted in payment of such fees and costs, any balance is not refundable and shall be retained by the Register in Chancery at the end of the case. An additional deposit of \$ 400 shall be required in all actions commenced by writ of sequestration, pursuant to 10 Del. C. § 366; \$200 of such additional deposit shall be set aside solely for the purpose of paying any fee that the Court may allow the sequestrator. For papers filed from time to time in connection with guardianship matters, the deposit for costs shall be such sum as the Register, from the Register's experience, shall deem sufficient to cover fees and costs of the Register's office for such matter. This rule shall not apply to any action or other proceeding that is exempt by law from making a deposit for costs.

(bb) Court fees or charges. -- The Register in Chancery shall assess the following court fees:

FEES AND CHARGES APPLICABLE TO ALL TYPES OF ACTIONS

Issuing summonses, subpoenas, and other writs
Original
\$ 50
Each copy
\$ 25
Filing an exception to a Master's Final Report
\$ 100
Noticing appeal (including preparation of record)
\$ 500
Furnishing advertisements to publishers
\$ 25
Certification of a document (excludes copy charge)
\$ 25
Exemplification of a document (in addition to certification)
\$ 50
Preparation of Register's certificate
\$ 25
Preparation of short certificate
\$ 25
Filing commission
\$ 20
Filing bond
\$ 25
Any court proceeding scheduled upon request of a party,
whether in-person or telephonic
\$ 150 per day
Docketing any item, per page
\$1.75
Scanning hard copy documents for docketing, per page
\$ 2
Photocopies, per page
\$ 1.50
Copies of opinions, per page
\$ 1.50
Microfilm copies, per page
\$ 2
Facsimiles, first page
\$ 10
Facsimiles, per page after first
\$ 2

Storage of exhibits, per exhibit
(charged to party that submitted exhibit)
\$ 10
Archival retrieval fees (excluding copy charge)
One folder or less
\$ 25
For each box or partial box greater than one folder
\$ 50
Preparation of mailing via next day carrier
(excludes copy charge)
\$ 5

CIVIL ACTION FEES

Filing a new case or petition
With 1 or 2 defendants
\$ 250
With 3 or more defendants
\$ 350
Asserting class action or derivative claims
\$ 600
Asserting technology disputes under 10 Del. C. § 346
\$ 600
Involving service under 10 Del. C. § 3114
with 10 or less defendants
\$ 600
with more than 10 defendants
\$ 850
To confirm or vacate an arbitration award
\$ 500
For partition
\$ 150
For decree of distribution
\$ 150
To sell real property to pay debts
\$ 150
For instructions
\$ 150
For adjudication of presumed death
\$ 150
For order disposing of remains
\$ 150
For elective share
\$ 150
For admission of a copy of decedent's will to probate
\$ 150

For a rule to show cause to compel return of assets

Pursuant to 12 Del. C. § 2105

\$ 150

To remove the personal representative of a decedent's estate

\$ 250

For sequestration

\$ 850

(In addition to filing fees an extra \$ 100 is collected at time of filing as a deposit for court costs)

Counterclaims, cross-claims, or third-party claims are charged at the same rates as a new case or petition

Amended complaint

\$ 150

An amended complaint must be separately docketed. A party cannot rely on the form of amended complaint attached to a motion for leave to amend

Motion or application for expedited proceedings

\$ 300

Note: A motion or application for expedited proceedings must be filed in connection with any motion or application for a temporary restraining order or preliminary injunction or in conjunction with any summary proceeding

Petition for Mediation under Rules 93-95

\$ 10,000

Each additional day of mediation

\$ 5,000

Service letters under 10 Del. C. § 3114 (per letter)

\$ 10

TRUST FEES

Petitions

For administration of new trust

\$ 25

To modify a trust

\$ 650

Otherwise civil action fees apply

Trustee bond

\$ 10

Filing, recording & indexing accounts of trustees and receivers

Amount of principal and income of trust:

Less than \$500 to \$1000

\$ 10

\$1001 to \$5000

\$ 20
\$5001 to \$15,000
\$ 60
Each additional \$1000 to \$10,000 or part thereof
\$ 15
Charge per page
\$ 1
Filing inventory, charge per page
\$ 2
Mailing notices to interested parties (per notice)
\$ 5
Trustee release
\$ 10
Registering certificates of trust
\$ 25
Filing an exception to trust accounting
\$ 100
Orders modifying a trust - per additional order beyond one
\$ 150

GUARDIANSHIP FEES

Petition or application
To appoint guardian for a minor
(inclusive of all initial filing fees)
\$ 125
To appoint guardian for a disabled person
(inclusive of all initial filing fees)
\$ 125
In connection with tort settlement
(inclusive of all initial filing fees)
\$ 125
For a rule to show cause in a pending action
\$ 50
To remove a guardian
\$ 50
To appoint a successor guardian
\$ 50
To expend
\$ 35
To initiate or increase monthly allotment
\$ 35
To reinvest
\$ 35
To sell real estate
\$ 50

To accept foreign guardianship
\$ 50
To transfer guardianship
\$ 50
Promissory note for guardian borrowing from account
\$ 25
Transfer of funds
\$ 15
Third party certification of compliance with order
\$ 3
Filing an exception to guardianship accounting
\$ 100

RECEIVERSHIP FEES

Order appointing receiver
\$ 100
Processing of receivership claims
Claims under \$ 100
\$ 0
Claims of \$ 100 to \$ 999
\$ 25
Claims of \$ 1000 or greater
3% of amount paid

STATEWIDE SECURITY FEE APPLICABLE TO ALL COURTS

Pursuant to 10 Del. C. § 8505, a \$ 10 fee is assessed in addition to any other costs imposed by Rule for each complaint, amended complaint, petition, cross-petition, counter-petition, cross-claim, counterclaim, or third party complaint. The fee is not retained by the Court of Chancery. It is deposited in the Court Security Fund to provide supplemental funding for personnel, equipment, and/or training expenses related to judicial branch security.

THE ATTORNEY GENERAL WHEN FILING UNDER THE DELAWARE FAIR HOUSING ACT PURSUANT TO 6 Del. C. § 4614(e) OR IN VETERANS ADMINISTRATION CASES, THE OFFICE OF THE PUBLIC GUARDIAN, THE INSURANCE COMMISSIONER, AND THE HUMAN RELATIONS COMMISSION ARE EXEMPT FROM PAYING FILING FEES AND COSTS.

Charges for matters not covered by this Rule shall be filed by Order of the Court. Any charge herein may be increased or decreased by the Court for good cause.

(c) Security for costs. -- In every case in which the plaintiff is not at the time of filing the complaint a resident of this State, or being so, afterwards moves from the State, an order for security for costs may be entered upon motion after 5 days notice to the plaintiff; in default of such security the Court, on motion, may dismiss the complaint.