

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE SMILEDIRECTCLUB, INC. §
DERIVATIVE LITIGATION §
§ No. 205, 2021
§
§
§ Court Below: Court of Chancery
§ of the State of Delaware
§
§ C.A. No. 2019-0940

Submitted: December 8, 2021
Decided: January 6, 2022

Before **VALIHURA, TRAYNOR**, and **MONTGOMERY-REEVES**, Justices.

ORDER

Now this 6th day of January 2022, the Court having considered this matter on the briefs and oral arguments of the parties and the record below, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its Memorandum Opinion dated May 28, 2021;

NOW, THEREFORE, IT IS ORDERED that the decision of the Court of Chancery be and the same hereby is AFFIRMED.

BY THE COURT:

/s/ Karen L. Valihura
Justice