

**SUPERIOR COURT
OF THE
STATE OF DELAWARE**

MEGHAN A. ADAMS
JUDGE

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RE: *IntelliBridge, LLC v. Brett Kimura*
C.A. No. N25C-12-604 MAA CCLD

Counsel:

Defendants/Counterclaim Plaintiffs (“Defendants”) move for leave to file a motion for summary judgment (the “Motion”).¹ Delaware courts have previously denied such motions when there are “no good reasons to permit a motion for summary judgment”² and summary judgment proceedings would be “apt to waste, rather than conserve, the resources of the parties and the court.”³ Summary judgment is only appropriate when “there is no genuine issue as to any material fact” and the moving party is “entitled to judgment as a matter of law.”⁴

¹ D.I. 37 [“Mot.”].

² *Kulak v. On*, 2026 WL 1122367, at *13 (Del. Ch. April 24, 2026).

³ *In re XL Fleet (Pivotal) S’holder Litig.*, 2024 WL 3888738, at *1 (Del. Ch. Aug. 21, 2024) (quoting *Orloff v. Shulman*, 2007 WL 1862742, at *1 (Del. Ch. June 20, 2007)).

⁴ Super. Ct. Civ. R. 26(b)(1).

After reviewing the Parties' briefing, the Court finds Defendants have failed to show good reason to permit a motion for summary judgment. Defendant's Puckboard arguments rely upon "common knowledge" in the government contracting industry, which presents a question of material fact.⁵ Defendant's CMS arguments rely upon disputed facts. These disputed facts include whether Defendants' had pre-closing knowledge CMS intended to terminate its contracts with Revacomm and whether Plaintiff/Counterclaim Defendant had pre-closing knowledge Mr. Wood intended to depart from CMS.⁶

Under these circumstances, the resources that would be expended on a motion for summary judgment would be wasteful, as Defendants cannot show no genuine issues of material fact exist or that Defendants are entitled to judgment as a matter of law. Defendants' Motion therefore must be DENIED.

IT IS SO ORDERED.

Sincerely,

/s/ Meghan A. Adams

Meghan A. Adams, Judge

cc: All Counsel via File and Serve
MAA/ls

⁵ *Id.* ¶ 13.

⁶ Mot. ¶ 21; Mot. Response ¶ 21.