COURT OF CHANCERY
OF THE
STATE OF DELAWARE

LORI W. WILL
VICE CHANCELLOR

LEONARD L. WILLIAMS JUSTICE CENTER
500 N. KING STREET, SUITE 11400
WILMINGTON, DELAWARE 19801-3734

November 2, 2026

Jordan Darga, pro se

Stephen C. Norman, Esquire
Jaclyn C. Levy, Esquire
Potter Anderson & Corroon LLP
1313 North Market Street
Wilmington, Delaware 19801

Brad R. Aronstam, Esquire
A. Gage Whirley, Esquire
Ross Aronstam & Moritz LLP
1313 North Market Street, Suite 1001
Wilmington, Delaware 19801

RE: *Jordan Darga v. Hycroft Mining Holding Corporation, et al.*,
C.A. No. 2023-0612-LWW

Dear Counsel and Mr. Darga:

I write regarding ten unsolicited letters and accompanying exhibits submitted by plaintiff Jordan Darga between February 2, 2026 and October 7, 2026.[1] Briefing on the defendants' motion to dismiss concluded months ago.[2] Just before the defendants' reply brief was filed and continuing for months after, Mr. Darga

[1] *See* Letters from J. Darga (Dkts. 105-106, 112-116, 118-120). Mr. Darga is pursuing only an individual action, but he also cross-filed these submissions on the docket of a related putative class action: *Travus Pope v. Hycroft Mining Holding Corporation*, C.A. No. 2023-0563-LWW. They are stricken from the docket in that action as well.

[2] *See* Reply Br. in Further Supp. of Defs.' Mot. to Dismiss Compl. (Dkt. 107).

repeatedly attempted to supplement the record, introduce unpleaded factual theories, advance settlement demands, and—most recently—make threats against the defendants.

These submissions are improper. Consistent with Court of Chancery Rule 12(f), the court may, upon its own initiative, order stricken from any pleading or filing "material that is redundant, scandalous, immaterial, or not pertinent."[3] For the reasons below, exercising my inherent authority to manage this docket, I strike Mr. Darga's ten letters and their exhibits.

Letters One Through Nine

The resolution of a motion to dismiss under Court of Chancery Rule 12(b)(6) is confined to the well-pleaded allegations in the complaint and the documents it

[3] Ct. Ch. R. 12(f); *see also 395 Assocs., LLC v. New Castle Cnty.*, 2005 WL 3194566, at *1-3 (Del. Super. Nov. 28, 2005) (invoking Superior Court Civil Rule 12(f) sua sponte to strike irrelevant and prejudicial commentary from a brief); *cf. Icahn P'rs LP v. deSouza*, 2024 WL 180952, at *10-11 (Del. Ch. Jan. 16, 2024) (explaining that the court's power to strike information from a pleading or other filing is not limited to a strict application of Rule 12(f)); *Wal-Mart Stores, Inc. v. Indiana Elec. Workers Pension Tr. Fund IBEW*, 95 A.3d 1264, 1282 (Del. 2014) (affirming the court's exercise of equitable discretion in ordering the return of improperly obtained documents and striking references to them).

incorporates by reference.[4] A plaintiff may not supplement the factual record or amend his pleading through letters to the court.[5]

Despite that, Mr. Darga's first through ninth letters include dozens of pages of extraneous materials, outline valuation and tax models, and advance unpleaded theories.[6] He acknowledges that the letters are "unrelated to the merits of [the] pending motion to dismiss" and "intended solely to provide contextual information relevant to remedy, not liability."[7] By his own admission, the letters are irrelevant to the viability of the complaint.

Mr. Darga also uses his letters to press unsolicited settlement demands. These communications have no bearing on the pending motion to dismiss, and filing them on the docket is inappropriate. They are stricken as immaterial and impertinent consistent with Rule 12(f).

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[4] *See, e.g.*, *In re Gen. Motors (Hughes) S'holder Litig.*, 897 A.2d 162, 168 (Del. 2006) ("The complaint generally defines the universe of facts that the trial court may consider in ruling on a Rule 12(b)(6) motion to dismiss.").

[5] *See* Ct. Ch. R. 7(d)(1); *cf. Standard Gen. L.P. v. Charney*, 2017 WL 6498063, at *25 (Del. Ch. Dec. 19, 2017) (observing that it is impermissible to attempt to amend a pleading through a brief).

[6] *See* Dkts. 105-106, 112-116, 118-119 (with accompanying exhibits).

[7] Dkt. 105 at 1; Dkt. 106 at 1-2; *see also* Dkt. 112 at 2; Dkt. 113 at 2.

Letter Ten

Mr. Darga's October 7, 2026 letter escalates these missteps.[8] He attaches a "final settlement proposal" alongside personal medical logs and financial records that are entirely immaterial to his claims.[9]

More concerning, the letter threatens that if the defendants do not accede to his settlement demands, Mr. Darga will submit materials from this litigation to the Securities and Exchange Commission Whistleblower Program.[10] He highlights the potential for a 10% to 30% financial reward and warns that his actions may cause "massive job losses" and substantial capital withdrawal.[11] Using the docket to leverage such threats in pursuit of a settlement represents an abuse of the judicial process. This filing is scandalous and stricken consistent with Rule 12(f).

* * *

[8] Letter from J. Darga (Dkt. 120).

[9] *Id.*, Ex. A (settlement email), Exs. C-D (student loan records), Ex. E (sleep logs), Ex. F (refeeding syndrome logs).

[10] Dkt. 120 at 3-4.

[11] *Id.*

Although the court affords reasonable leniency to pro se litigants, it does not excuse non-compliance with this court's rules and expectations.[12] The defendants' motion to dismiss is deemed fully briefed without Mr. Darga's letters, and the matter is taken under advisement on the operative pleadings and the formal briefing.

IT IS SO ORDERED.

Sincerely yours,

Lori W. Will

Lori W. Will
Vice Chancellor

[12] *See Draper v. Med. Ctr. of Del.*, 767 A.2d 796, 799 (Del. 2001) ("There is no different set of rules for *pro se* plaintiffs, and the trial court should not sacrifice the orderly and efficient administration of justice to accommodate an unrepresented plaintiff.").