

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

SAM GLASSCOCK III
VICE CHANCELLOR

COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DELAWARE 19947

Date Submitted: April 2, 2013

Date Decided: April 12, 2013

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William M. Kelleher
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Re: *In re Restatement of Declaration Trust (Ravet Family Trust of
Feb. 9, 2012)*, Civil Action No. 7743-VCG

Dear Counsel:

I have received the Plaintiff’s Motion for Leave to File a Sur-Reply to the Defendants’ Motion to Dismiss. Upon reviewing the briefs, I have determined that the Plaintiff wishes to respond, in its proposed sur-reply, to arguments that the Defendants raised in their Opening Brief. The Plaintiff has already had an opportunity to respond to those arguments in the Plaintiff’s Answering Brief. Instead of so responding, the Plaintiff filed a two-page Answering Brief which neglected to address several of the Defendants’ arguments for dismissal. The Plaintiff now requests leave to respond to the Defendants’ arguments in a sur-reply. The purpose of a sur-reply brief is to allow a party to respond to *new arguments*, raised for the first time in a reply brief. There are no such new

arguments here. Therefore, the Plaintiff's Motion for Leave to File a Sur-Reply is DENIED. IT IS SO ORDERED.

Sincerely,

/s/ Sam Glasscock III

Sam Glasscock III