

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HAROLD GRILL 2 IRA, §
Derivatively on Behalf of Nominal § No. 390, 2013
Defendant UNITED §
TECHNOLOGIES CORPORATION, § Court Below – Court of Chancery
§ of the State of Delaware
Plaintiff Below, § C.A. No. 7999
Appellant, §
§
v. §
§
LOUIS R. CHÊNEVERT, JOHN V. §
FARACI, JEAN-PIERRE GARNIER, §
JAMIE S. GORELICK, EDWARD A. §
KANGAS, ELLEN J. KULLMAN, §
MARSHALL O. LARSEN, §
RICHARD D. MCCORMICK, §
HAROLD MCGRAW III, RICHARD §
B. MYERS, H. PATRICK §
SWYGERT, ANDRE §
VILLENEUVE, CHRISTINE TODD §
WHITMAN, and GEORGE DAVID, §
§
Defendants Below, §
Appellees, §
and §
UNITED TECHNOLOGIES §
CORPORATION, §
§
Nominal Defendant. §

Submitted: December 18, 2013

Decided: December 19, 2013

Before **HOLLAND, BERGER, JACOBS** and **RIDGELY**, Justices and
CARPENTER, Judge,¹ constituting the Court *en Banc*.

¹ Sitting by designation pursuant to Del. Const. art. IV, § 12 and Supr. Ct. R. 2 and 4.

ORDER

This 19th day of December 2013, the Court, having considered this matter after oral argument and on the briefs filed by the parties, has determined that the final judgment of the Court of Chancery should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its opinion dated June 24, 2013.

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

BY THE COURT:

/s/ Randy J. Holland
Justice