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March 30, 2010

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215 East Market Street  
Georgetown, DE 19947

Re: Vincent v. Baize  
C.A. No. 3432-VCN  
Date Submitted: March 26, 2010

Dear Counsel:

I have reviewed the briefing on Defendants' Motion for Summary Judgment and have concluded that oral argument is not necessary. With the exception of a few questions regarding time-bar defenses, which I will address shortly, I am satisfied that there are material disputes of fact and, accordingly, that summary judgment is an inappropriate vehicle for resolution of the bulk of this action.

Accordingly, Defendants' Motion for Summary Judgment will be denied through an order which I will separately enter.

Beth B. Miller, Esquire  
Patricia M. O'Neill, Esquire  
March 30, 2010  
Page 2

As for the time-bar defenses, I ask Ms. O'Neill to explain why the important date is when the Plaintiff turned eighteen. The issue, and perhaps I am mistaken, involves the trust and the trust did not terminate until the Plaintiff turned twenty-one, which was well within three years of her filing this action. If, on the other hand, any of the Plaintiff's claims arose under the guardianship (and not the trust), I ask Ms. Miller to explain why guardianship-based claims are not time-barred.

I also ask Ms. O'Neill whether her client in fact opposes summary judgment disposition by time-bar of the claims against Mr. Vincent. If the Defendants continue to insist upon pursuing any claims against Mr. Vincent, a more specific argument refuting the time-bar defense should be submitted.

Very truly yours,

*/s/ John W. Noble*

JWN/cap  
cc: Register in Chancery-K