

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

**BONNIE W. DAVID
MAGISTRATE IN CHANCERY**

**COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DE 19947**

December 15, 2023

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RE: *Mack v. Heron Bay Associates, LLC, et al.*,
C.A. No. 2019-0588-BWD

Dear Counsel:

I write concerning Defendants' Notice of Exceptions to Magistrate's Post Trial Final Report (the "Notice"), filed with the Court on December 14, 2023. Dkt. 76. In the Notice, Defendants state that they "take exception to the Master's [sic] Final Report issued on December 7, 2023 . . . to the extent that Magistrate David did not award Defendants their reasonable attorneys' fees . . ." *Id.*

Although styled as "exceptions," I consider the Notice to be a request for clarification of my December 7, 2023 Post-Trial Final Report in this matter (the "Post-Trial Final Report"). *See* Dkt. 75. To clarify, the Post-Trial Final Report did not decide requests for attorneys' fees. Any party may file a motion seeking

attorneys' fees within thirty days from the resolution of any exceptions to the Post-Trial Final Report.

This letter resolving Defendants' request for clarification is a final report pursuant to Court of Chancery Rule 144. To facilitate the orderly resolution of exceptions in this matter, exceptions to this final report must be filed no later than **Wednesday, December 20, 2023.**¹

Sincerely,

/s/ Bonnie W. David

Bonnie W. David
Magistrate in Chancery

cc: All counsel of record (by File & ServeXpress)

¹ See Ct. Ch. R. 144(d) (“Unless otherwise agreed by the parties *or directed by the Magistrate in Chancery* or the Court, the following schedule shall govern the taking and briefing of exceptions”) (emphasis added).