

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

SAM GLASSCOCK III
VICE CHANCELLOR

COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DELAWARE 19947

January 31, 2013

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David J. Weidman
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Re: *David J. Branson, et al. v. Vincent Branson*
Civil Action No. 7603-VCG

Dear Counsel:

I have before me Mr. Campbell's January 31, 2013 "Motion for an Enlargement of Time" to file a Motion for Reargument pursuant to Court of Chancery Rule 59(f). Rule 59(f) requires a Motion for Reargument to be filed within 5 days after a decision.¹ The stated rationale for Mr. Campbell's Motion for an Enlargement of Time is that he has been unable to file a Motion for Reargument because he has not yet received a transcript of the telephone conference held on January 24, 2013. A transcript is not required for counsel to file a Motion for Reargument. Therefore, the Motion for an Enlargement of Time is DENIED.

¹ Ct. Ch. R. 59(f) ("A motion for reargument setting forth briefly and distinctly the grounds therefor may be served and filed within 5 days after the filing of the Court's opinion or the receipt of the Court's decision.").

However, I will treat the Motion for an Enlargement of time as a Motion for Reargument on those issues raised in paragraph 4 of the Motion.² The parties should contact my chambers to schedule presentation of the Motion for Reargument. To the extent the foregoing requires an order to take effect, IT IS SO ORDERED.

Sincerely,

/s/ Sam Glasscock III

Sam Glasscock III

² Def.'s Mot. for Enlarg. of Time ¶ 4 ("The Motion for Reargument is being filed to take exception to your Honor's holding that this matter is an *in personam* action and not [sic] *in rem* action, and the general dismissal of the Interpleader. Defendant will present both case law, and support from *Pomeroy's Equity Jurisprudence* to demonstrate why these holdings are legally incorrect and actually act to take this matter outside the jurisdiction of the Court of Chancery.").