

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES A. ZACHMAN,

Plaintiff Below,
Appellant,

v.

REAL TIME CLOUD SERVICES,
LLC, SANGEETA CHHABRA, CBS
ACCOUNTING PVT, LTD.

Defendants Below,
Appellees,

and

REAL TIME DATA SERVICES,
LLC,

Intervenor/Defendant Below,
Appellee.

§
§ No. 157, 2020
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§ Court Below: Court of Chancery
§ of the State of Delaware
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§ C.A. No. 9729
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Submitted: May 12, 2020

Decided: May 13, 2020

ORDER

After consideration of the notice to show cause and the appellant’s response,
it appears to the Court that:

(1) The plaintiff-appellant, James Zachman, filed this appeal from a memorandum opinion of the Court of Chancery, dated March 31, 2020, which determined the fair value of Zachman’s interest in a Delaware limited liability

company. The opinion directed the parties to confer and submit a proposed form of order.

(2) The Chief Deputy Clerk of this Court issued a notice to the appellant to show cause why the appeal should not be dismissed for the appellant's failure to comply with Supreme Court Rule 42 when appealing an apparent interlocutory order. On May 12, 2020, Zachman filed a "notice of temporary withdrawal" of the notice of appeal, indicating that he did not intend to appeal from an interlocutory order and that he "will wait until a final order is issued to seek appeal." The Court deems Zachman's filing to be a request for voluntary dismissal without prejudice.¹

NOW, THEREFORE, IT IS ORDERED that this appeal is hereby DISMISSED without prejudice. Any docketing fee paid to this Court by the appellant in conjunction with this appeal may be applied to a future appeal filed by the appellant from the Court of Chancery's final order.

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice

¹ See *Rohlf v. BNY Mellon Trust of Del.*, 2011 WL 5987654 (Del. Nov. 30, 2011) (dismissing apparent interlocutory appeal without prejudice upon appellant's filing of voluntary dismissal in response to notice to show cause).