

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GOTHAM PARTNERS, L.P.,	§	
	§	
Plaintiff Below,	§	No. 368, 2003
Appellant,	§	
	§	Court Below: Court of Chancery of
v.	§	the State of Delaware in and for
	§	New Castle County
HALLWOOD REALTY PARTNERS, L.P.,	§	
HALLWOOD REALTY CORPORATION,	§	C. A. No. 15754
THE HALLWOOD GROUP INCORPOR-	§	
ATED, ANTHONY J. GUMBINER and	§	
WILLIAM L. GUZZETTI,	§	
	§	
Defendants Below,	§	
Appellees.	§	

Submitted: December 16, 2003

Decided: December 18, 2003

Before **VEASEY**, Chief Justice, **HOLLAND**, **BERGER** and **JACOBS** Justices, and **HARTNETT**, Justice (Retired),* constituting the Court en Banc.

ORDER

This 18th day of December 2003, the Court, having considered the decision and judgment of the Court of Chancery dated July 8, 2003, and the contentions set forth in the briefs and oral argument of counsel on appeal, has determined as follows:

To the extent that (a) the issues raised on appeal are factual, the record evidence supports the factual findings; (b) the errors alleged on appeal are asserted to be an

* Sitting by designation pursuant to DEL. CONST. art. IV, § 38 and DEL. CODE ANN. tit.29, § 5610(a)(2) (2001) and DEL. SUPR. CT. R. 2, 4.

abuse of discretion, the record does not support those assertions; (c) it is contended that the Court of Chancery did not properly apply the decision and mandate of this Court set forth in its remand decision in *Gotham Partners, L.P. v. Hallwood Realty Partners, L.P.*, 817 A.2d 160 (Del. 2002), that contention is not supported; and (d) it is contended that the legal rulings of the Court of Chancery raised on appeal were erroneous, those issues are controlled by settled Delaware law, which was properly applied.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Court of Chancery is **AFFIRMED**.

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice