

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE SPEEDWAY § No. 546, 2003  
MOTORSPORTS, INC. § Court Below – Court of Chancery  
DERIVATIVE LITIGATION § of the State of Delaware,  
§ in and for New Castle County  
§ C.A. No. 18245

Submitted: March 9, 2004

Decided: May 12, 2004

Before **HOLLAND, BERGER** and **STEELE**, Justices.

This 12th day of May 2004, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Court of Chancery should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its memorandum opinion dated October 14, 2003.

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

BY THE COURT:

/s/ Randy J. Holland  
Justice

No. 546, 2003

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