

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THE ORCHARD ENTERPRISES, §
INC., §
§
Respondent Below, § No. 470, 2012
Appellant, §
v. § Court Below – Court of Chancery
§ of the State of Delaware,
§ Consolidated C.A. No. 5713

MERLIN PARTNERS LP, §
§
Petitioner Below, §
Appellee, §
and §
§

THE ORCHARD ENTERPRISES, §
INC., §
§
Respondent Below, §
Appellant, §
v. §
§

MATTHEW GIFFUNI, §
CHRISTOPHER YEAGLEY and §
QUADRE INVESTMENTS LP, §
§
Petitioners Below, §
Appellees, §
§
§

IN RE: APPRAISAL OF THE §
ORCHARD ENTERPRISES, INC. §
§

Submitted: March 27, 2013
Decided: March 28, 2013

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

O R D E R

This 28th day of March, 2013, 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 July 18, 2012 memorandum opinion.

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

BY THE COURT:

/s/ Randy J. Holland
Justice