

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CARLOS R. ARANETA, HUGO	§
BONILLA and LIZA BERENGUER,	§ No. 60, 2007
	§
Defendants Below,	§ Court Below—Court of Chancery
Appellants,	§ of the State of Delaware,
	§ in and for New Castle County
v.	§ C.A. No. 489
	§
ATR-KIM ENG FINANCIAL	§
CORPORATION and ATR-KIM	§
ENG CAPITAL PARTNERS, INC.,	§
	§
Plaintiffs Below,	§
Appellees.	§

Submitted: June 13, 2007

Decided: June 14, 2007

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

This 14th of June 2007, the Court having considered this matter after briefing and oral argument, has determined the appeal is without merit because: to the extent the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; to the extent the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions; and to the extent that the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied. Therefore, this Court has concluded 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 decision dated December 21, 2006.

NOW, THEREFORE, IT IS HEREBY ORDERED that the final judgment of the Court of Chancery, entered on January 10, 2007, is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland  
Justice