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Re: Techmer Accel Holdings, LLC, et al. v. Amer, et al.
C.A. No. 4905-VCN
Date Submitted: July 20, 2010

Dear Counsel:

I have Defendant Nancy Amer's Motion to Supplement the Record. She seeks, after completion of briefing on cross-motions for summary judgment, to file a supplemental affidavit. She argues that the issue to which the affidavit is directed was only genuinely raised in the Plaintiffs' final brief. While that may not be a persuasive argument standing alone, I will grant the motion. It is better to have a full and complete factual record, and, if the Plaintiffs are correct,¹ they will suffer no prejudice.

Accordingly, Defendant Nancy Amer's Motion to Supplement the Record is granted.

IT IS SO ORDERED.

Very truly yours,

/s/ John W. Noble

JWN/cap
cc: Register in Chancery-K

¹ Pls.' Opp'n to Def. Nancy Amer's Mot. to Suppl. the Record at 3 n.1.