



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

ROGER MASON,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 2018-____-____
)	
BIG3 BASKETBALL, LLC,)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR EXPEDITED PROCEEDINGS

Pursuant to Chancery Court Rules 4, 12, and 26, plaintiff Roger Mason (“Mason”) hereby moves the Court for an Order in the form appended hereto, expediting proceedings in this statutory summary proceeding. In support thereof, Mason states as follows:

1. Mason brings the above-captioned action, pursuant to 6 *Del. C.* § 18-305, to inspect certain books and records of defendant Big3 Basketball, LLC (the “Company”), a Delaware limited liability company of which Mason is a member.

2. As a matter of Delaware law, books and records actions under Section 18-305 “are summary proceedings. What that means is that they are to be promptly tried.” *Lavi v. Wideawake Deathrow Entm’t, LLC*, 2011 WL 284986, at *1 (Del. Ch. Jan. 18, 2011); *see also Brehm v. Eisner*, 746 A.2d 244, 267 (Del.

2000) (stating that a books and records action “is a summary one that should be managed expeditiously”).

3. Mason made a demand dated March 21, 2018, to inspect certain of the Company’s books and records. Verified Complaint for Inspection of Books and Records (“Compl.”) ¶ 2. The Company did not even respond to Mason’s demand. Compl. ¶ 3.

4. Pursuant to well-established Delaware law, this action should proceed on an expedited basis, with a trial to be held in 60 days.

WHEREFORE, for the foregoing reasons, Mason respectfully requests that the Court enter an Order, in the form attached hereto, expediting proceedings in this action.

OF COUNSEL:

Robert S. Wolf
Philippe A. Zimmerman
MOSES & SINGER LLP
The Chrysler Building
405 Lexington Avenue
New York, NY 10174-1299
(212) 554-7800

/s/ Blake Rohrbacher
Blake Rohrbacher (#4750)
Kevin M. Gallagher (#5337)
Brian F. Morris (#6235)
John M. O’Toole (#6448)
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, Delaware 19801
(302) 651-7700

Attorneys for Plaintiff Roger Mason

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