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IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM B. WEINBERGER and §
 EDWARD U. NOTZ, §
 §
 Plaintiffs Below, §
 Appellants, §
 §
 v. §
 §
 UOP, INC., THE SIGNAL COMPANIES §
 and SIGCO INCORPORATED, §
 §
 Defendants Below, §
 Appellees. §

No. 90, 1985

Submitted: May 23, 1985
Decided: July 9, 1985

Before McNEILLY, HORSEY and MOORE, Justices.

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 PRICKETT, JONES
 ELLIOTT, KRISTOL
 & SCHRIEL

O R D E R

This 9th day of July, 1985,

Upon due consideration of the plaintiffs' opening brief, the notice of dismissal of cross-appeal, the motion to affirm, and the record, it appears to the Court that:

(1) This case stems from the cash-out merger between UOP, Inc. ("UOP") and the Signal Companies, Inc. ("Signal"). The factual happenings are fully set forth in the original Chancery Court opinion, Weinberger v. UOP, Del. Ch., 426 A.2d 1333 (1981), and in this Court prior opinion, Weinberger v. UOP, Del. Supr., 457 A.2d 701 (1983).

(2) On remand from this Court, the Court of Chancery awarded members of plaintiffs' class damages of \$1.00 per share of UOP common stock formerly owned by such class members and interest

from February 1, 1983 to the date of payment of the damages. Plaintiffs appeal from the judgment and defendant, Signal, cross-appealed on the award of interest.

(3) On May 9, 1985, defendant, Signal, filed a Motion to Affirm the Court of Chancery's judgment, pursuant to Supreme Court Rule 25(a) and on May 23, 1985, withdrew its cross-appeal.

(4) Plaintiffs contend, inter alia, that the Court of Chancery erred (a) in placing the burden of proof on them, (b) in deciding not to award rescissory damages, (c) in awarding an inadequate amount of damages, and (d) in not awarding interest on the damages from the date of the wrong. We conclude that these contentions are without merit.

(5) There is no evidence in the record that the Court of Chancery put the burden of proof, on all issues, on plaintiffs. Pursuant to our decision in Weinberger, supra, we find no abuse of discretion by the Court of Chancery in its award of damages, in its decision not to award rescissory damages, and in its awarding of interest from February 1, 1983, the date of our Weinberger decision.

(6) It is manifest on the face of plaintiffs' opening brief that their appeal is without merit since the issues on appeal raising questions of law are clearly controlled by settled Delaware law. In addition, there was no abuse of judicial discretion.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 25(a), that the judgment of the Court of Chancery be, and it hereby is,

AFFIRMED.

BY THE COURT:


Justice