

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

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VICE CHANCELLOR

COURT OF CHANCERY COURTHOUSE
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GEORGETOWN, DELAWARE 19947

July 5, 2013

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Re: *The Sequoia Presidential Yacht Group LLC v.
FE Partners LLC*
Civil Action No. 8270-VCG

Dear Counsel:

This matter came before me on a letter from Defendant FE Partners, LLC on June 20, 2013, alleging that the Plaintiff's senior New York counsel had engaged in serious misconduct, and seeking (among other relief) suspension of his admission to the Bar of the Supreme Court of Delaware, granted *pro hac vice*. I issued a Rule to Show Cause, and a hearing was held on June 25, 2013. Defendant's counsel appeared and repeated the allegations; Plaintiff's New York counsel denied the allegations under oath.

No state benefits more from admissions to its Bar *pro hac vice* than Delaware, and no judges benefit more from that system of admissions than the members of this Court. Having said that, the opportunity to practice before this bar, even on a temporary basis, is a privilege. Like Delaware attorneys, attorneys

from other states are expected to abide by high standards of professional conduct.¹ Nonetheless, for the following reasons I am content to stay my decision here. This Court’s jurisdiction to police attorney behavior only extends to conduct which may prejudice the “fair and efficient administration of justice.”² Despite the seriousness of the allegations, I find that there is little such risk here going forward. The substantive litigation in this matter is finished. The parties are in the process of entering a stipulation of settlement. It does not appear that New York counsel will have any substantive role to play in this matter going forward. The sole remaining issue will be whether sanctions against the Plaintiff’s attorneys—on other grounds than those alleged at the hearing on the Rule to Show Cause—should be entered. Accordingly, I find that my consideration of this matter should be deferred, and the underlying incident referred to the Office of Disciplinary Counsel.

For the reasons above, I defer decision on the Defendants’ request to revoke the admission *pro hac vice* of Plaintiff’s New York Counsel, pending a review by the Delaware Office of Disciplinary Counsel. I direct that this letter, together with the transcript of the Rule to Show Cause hearing, the June 20, 2013 letter that triggered that hearing, and the Court exhibits from that hearing be delivered to the Office of the Disciplinary Counsel for review, as well as reference to the New

¹ See, e.g., *Manning v. Vellardita*, 2012 WL 1072233, at *3 (Del. Ch. Mar. 28, 2012).

² *Crowhorn v. Nationwide Mut. Ins. Co.*, 2002 WL 1274052, at *4 (Del. Super. May 6, 2002).

York bar, as appropriate. To the extent that the foregoing requires an Order to take effect, IT IS SO ORDERED.

Sincerely,

/s/ Sam Glasscock III

Sam Glasscock III