

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TRINITY WALL STREET, )  
 )  
 Plaintiff, )  
 )  
 v. ) C.A. No. 14-405-LPS  
 )  
 WAL-MART STORES, INC., )  
 )  
 Defendant. )

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**ORDER**

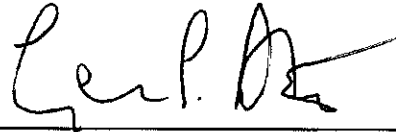
At Wilmington this 26th day of November, 2014, for the reasons stated in the Memorandum Opinion issued this same date,

IT IS HEREBY ORDERED that:

1. Defendant's motion to dismiss the original complaint (D.I. 26) is DENIED AS MOOT.
2. Defendant's motion to dismiss the amended complaint (D.I. 33) is GRANTED IN PART and DENIED IN PART. Specifically, Count I, relating to the 2014 Proposal, is not dismissed, while Count II, relating to the 2015 Proposal, is dismissed.
3. Plaintiff's motion for summary judgment (D.I. 37) is GRANTED with respect to Count I and DENIED AS MOOT with respect to Count II.
4. Defendant's cross-motion for summary judgment (D.I. 47) is DENIED with respect to Count I and DENIED AS MOOT with respect to Count II.
5. Defendant is ENJOINED from excluding Trinity's Proposal from its 2015 proxy materials, on the grounds addressed in the Court's Opinion, provided Trinity makes a proposal

not materially dissimilar from its 2014 Proposal and complies with all other requirements.

6. The parties shall submit a proposed final judgment order, consistent with this Order, no later than December 3, 2014.



UNITED STATES DISTRICT JUDGE