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# Southern DAILY Make Today Different

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## Judge in Twitter v. Musk once made rare ruling: ordering a deal to close

ge overseeing Twitter Inc's (TWTR.N) \$44 billion lawsuit against Elon Musk has a no-nonsense reputation as well as the distinction of being one of the few jurists who has ever ordered a reluctant buyer to close a U.S. corporate merger.

Kathleen McCormick took over the role of chancellor or chief judge of the Court of Chancery last year, the first woman in that role. On Wednesday, she was assigned the Twitter lawsuit which seeks to force Musk to complete his deal for the social media platform, which promises to be one of the biggest legal showdowns in years.

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"She already has a track record of not putting up with some of the worst behavior that we see in these areas when people want to get out of deals," said Adam Badawi, a law professor who specializes in corporate governance at the University of California Berkeley. "She is a serious, no-nonsense judge."

In contrast to Musk's brash and volatile behavior, she is known as soft-spoken, approachable and amiable -- but a person who also stands her ground. She advocates respect among litigants and integrity at legal conferences.

"We've always had each other's backs, we've always gone out for drinks after arguments and maintained this level of civility," she told a gathering at the University of Delaware this year.

After weeks of confrontational tweets suggesting Twitter was hiding the true number of fake accounts, Musk said on July 8 he was terminating the \$54.20-per-Twitter share acquisition, worth \$44 billion. On Tuesday, the social media platform sued. [read more](#)

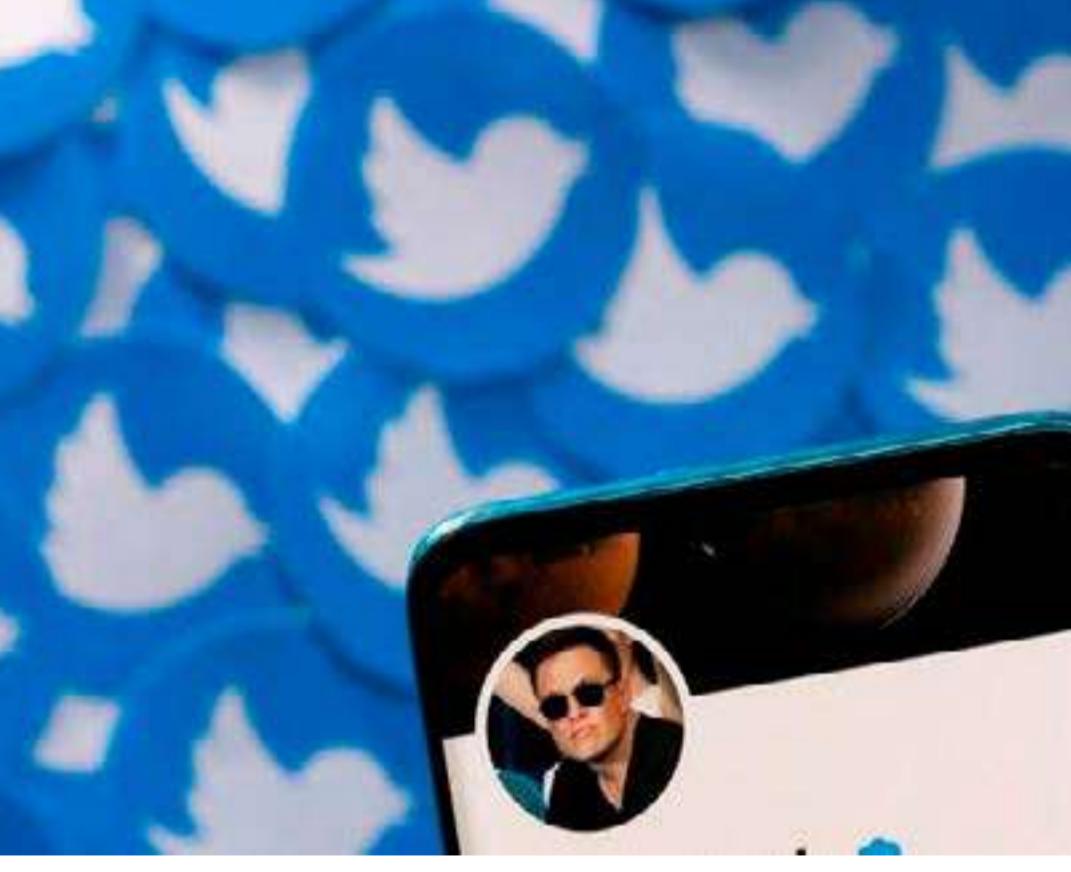
McCormick on Friday scheduled the first hearing for July 19 in Wilmington, when she will consider Twitter's request to expedite the case and conduct a four-day trial in September.

Shares of Twitter were up about 2% to \$37.11 in mid-day trading on Friday, but still more than 30% below the deal price.

Judges have ordered reluctant buyers to close corporate acquisitions only a handful of times, according to legal experts and court records. One of those was McCormick.

Last year, McCormick got the attention of Wall Street dealmakers by ordering an affiliate of private equity firm Kohlberg & Co LLC to close its \$550 million purchase of DecoPac Holding Inc, which makes cake decorating products.

She described her ruling as "chalking up a victory for



Elon Musk's Twitter profile is seen on a smartphone placed on printed Twitter logos in this picture illustration taken April 28, 2022. REUTERS/Dado Ruvic/Illustration/File Photo

deal certainty" and rejected Kohlberg's arguments that it could walk away because of a lack of financing.

Tesla CEO Elon Musk leaves Manhattan federal court after a hearing on his fraud settlement with the SEC in New York

Illustration shows Elon Musk's Twitter profile on smartphone and printed Twitter logos  
Tesla CEO Elon Musk leaves Manhattan federal court after a hearing on his fraud settlement with the SEC in New York

Elon Musk's Twitter profile is seen on a smartphone placed on printed Twitter logos in this picture illustration taken April 28, 2022. REUTERS/Dado Ruvic/Illustration/File Photo

The case has many parallels to the Twitter deal. Like Musk, Kohlberg said it was walking away because DecoPac violated the merger agreement. Like Musk, Kohlberg argued in part that DecoPac failed to maintain ordinary operations.

There are also differences. Musk's deal is magnitudes bigger, involves a publicly traded target company in Twitter and might have implications for Tesla Inc, the electric vehicle maker that is the source of much of Musk's fortune.

Tesla shares were trading up slightly on Friday at \$718.04, down from around \$1,000 when the Twitter deal was announced.

In other cases, she has come down on the side of

shareholders when they clashed with management.

Last year, she prevented energy company The Williams Cos Inc from adopting a so-called poison pill anti-takeover measure, saying it breached their fiduciary duty to shareholders.

Last month, she said shareholders of Carvana Co (CVNA.N) could sue the board for a direct offering of stock to select investors when the share price was depressed during the early pandemic.

A graduate of Notre Dame Law School, McCormick started her career with the Delaware branch of the Legal Aid Society, which helps low-income people navigate the court system.

She went into private practice "mainly for financial reasons," she told the Delaware Senate during her confirmation hearing, joining Young Conaway Stargatt & Taylor, one of the state's main firms for business litigation.

She joined the Court of Chancery in 2018 as a vice chancellor and became the first woman to lead the Court of Chancery last year.

Despite her mild manner, Eric Talley, who specializes in corporate law at Columbia Law School, said he doubts McCormick would be cowed by Musk.

"I would not be placing my bets on Chancellor McCormick suddenly becoming weak-kneed," he said.

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Inside C2

# WEA LEE'S GLOBAL NOTES

07/15/2022

## Feeling Sad About Starbucks Closing Stores

Sixteen Starbucks coffee stores in different cities are about to close. The reasons for the closings are due to poor security and increasing crime near the stores.

The cities where the stores will be closed include Seattle, Portland, Los Angeles and Philadelphia, the company said. In a statement, the company stated that the reason for the closings was purely a public security problem. Their employees have faced trouble from homeless people and a large number of drug users. They even had previously considered closing the restrooms of the stores.

This news really shocked my heart. I remembered in the early 90's when I started the Seattle Chinese News, I lived in Seattle for two years. Every morning when I got up, I would go to the original



Starbucks store to order a cup of coffee and start my day's work. Sometimes I would have to wait in

line, but the store was located near the ocean and there was a beautiful view.

During that time, Starbucks became a part of my life. This small coffee shop gradually went on to open stores all over the nation and the world. I have traveled to many countries around the world and I always find a Starbucks to have a cup of fresh coffee. Actually, Starbucks has become the "business card" of American culture.

Today public security and the pandemic have become major issues in our community. The low morals and flood of guns and the divided political parties have really made people all over the country suffer. The closings of so many Starbucks stores is really a sign of the deteriorated safety issue in America.

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**Southern DAILY** Make Today Different



People watch the Macy's Fourth of July fireworks in New York City, July 4. REUTERS/Jeenah Moon

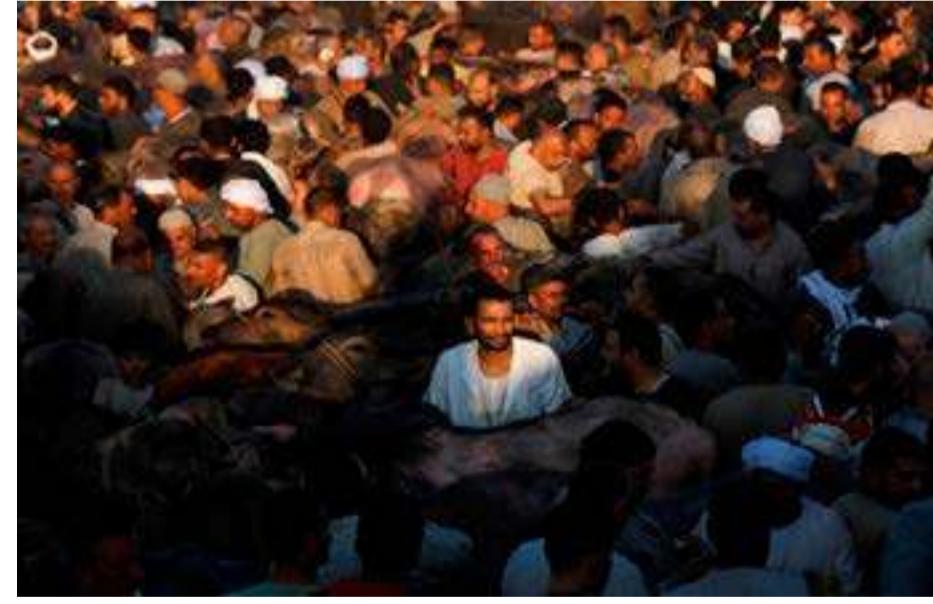
## Editor's Choice



A cow moves past a burning car that, according to fire officials, caught fire due to an electrical short circuit after it was stuck in a water-logged road following heavy rains in Ahmedabad, India, July 11. REUTERS/Amit Dave



A tricycle is seen near the scene of a mass shooting at a Fourth of July parade route, in the Chicago suburb of Highland Park, Illinois, July 4. REUTERS/Max Herman



Cattle traders and customers crowd the Al-Manashi livestock market, ahead of the Muslim festival of sacrifice Eid al-Adha in Embama district on the outskirts of Giza, Egypt, July 7. REUTERS/Amr Abdallah Dalsh



A painted figure is seen on a wall of the home of the mother of Robert E. Crimo III, the 21-year-old suspect facing seven counts of first-degree murder in an attack on a Fourth of July parade, in Highland Park, Illinois, July 6. REUTERS/Cheney Orr



Alfa Romeo's Guanyu Zhou and Mercedes' George Russell crash out at the start of the British Grand Prix in Silverstone, Britain, July 3. REUTERS/Molly Darlington

**"Make Art, Not War!"**

## Artists Around The World Leave Their Mark In Support Of Ukraine

Compiled And Edited By John T. Robbins, Southern Daily Editor

Zaporizhzhia, Ukraine



Street artist Denys Antukov and his assistant Hanna work on a mural inspired by the Russian Warship, Go E.. Yourself! postage stamp in the Khortytskyi district of Zaporizhzhia, southeastern Ukraine. (Photo/Albert Koshelev | Future Publishing | Getty Images)

## Key Point

Since Russia invaded Ukraine on Feb. 24, artists around the world have created poignant murals to support Ukraine. We share here how artists have depicted the war across the globe.

Belgrade, Serbia



A person walks next to a mural of Russian President Vladimir Putin, which has been vandalized with red spray paint and the word "War" written instead of the original text reading: "Brother", following Russia's invasion of Ukraine, in Belgrade, Serbia, April 29, 2022. Marko Djurica | Reuters

Paris



Fresco murals by French street artists Kelu Abstract and Jeff Aerosol are displayed on the wall of a Parisian building on March 14, 2022 in Paris, France. Chesnot | Getty Images



A fresco mural by French street artist Julien Malland



French street artist and painter Christian Guemy (R) known as C215 poses in front of his fresco depicting a Ukrainian young girl with a quote attributed to Ukrainian President Volodymyr Zelensky: "I really don't want my photos in your offices, because I am neither a god nor an icon, but rather a servant of the Nation." Joel Saget | AFP | Getty Images



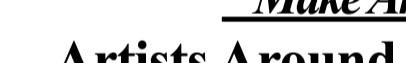
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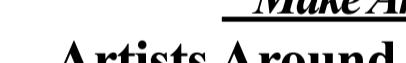
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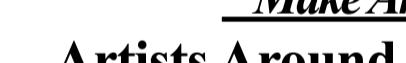
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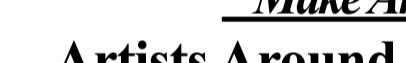
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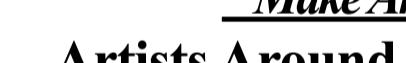
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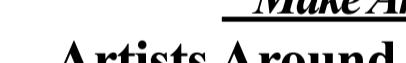
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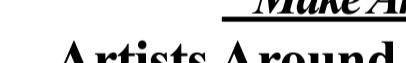
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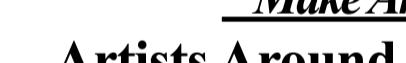
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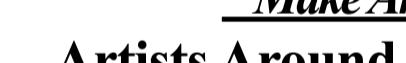
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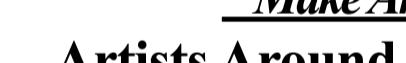
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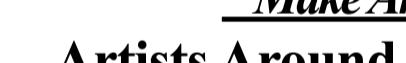
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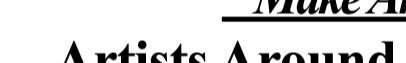
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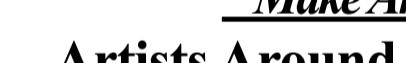
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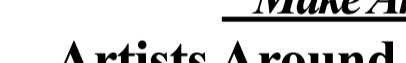
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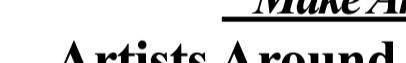
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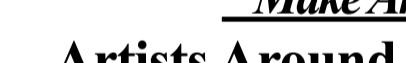
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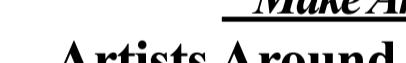
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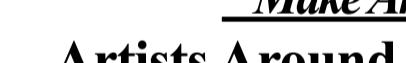
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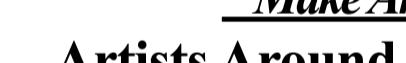
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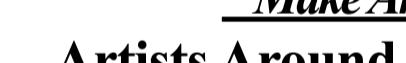
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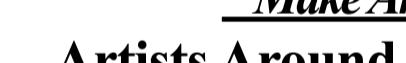
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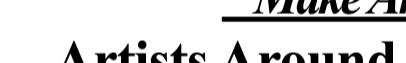
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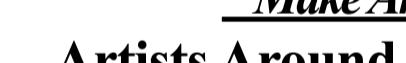
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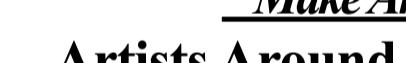
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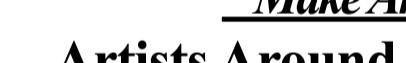
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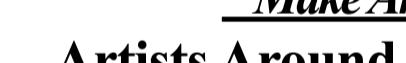
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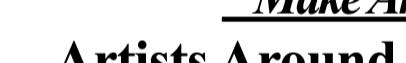
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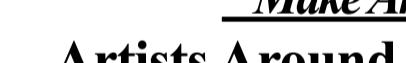
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