

CCLD Judges Cross-Designated to Hear Actions under 8 *Del. C.* § 111

Monday, March 13, 2023

On February 23, 2023, the Delaware Supreme Court issued a Cross-Designation Order entitled “In re: Designation of Actions Filed Pursuant to 8 *Del. C.* § 111.” Pursuant to the Cross-Designation Order, the current group of the Superior Court’s Complex Commercial Litigation Division (“CCLD”), consisting of Judges Eric M. Davis, Paul R. Wallace, Abigail M. LeGrow, Sheldon K. Rennie, and Meghan A. Adams, may now sit as temporary vice chancellors to hear and decide cases filed under Section 111 as selected by the Chancellor of the Court of Chancery and the President Judge of the Superior Court. The Cross-Designation Order will remain in effect for a trial period of one year. At the end of the trial period, the Chief Justice, the Chancellor, and the President Judge will determine whether it should be extended.

By its terms, Section 111 vests the Delaware Court of Chancery with jurisdiction to interpret or enforce various types of documents that touch on Delaware corporate law. The CCLD is also well-equipped to address actions filed under Section 111. The CCLD was created in 2010 to resolve business disputes, generally with at least \$1 million in controversy. For example, the CCLD has jurisdiction to resolve a claim for breach of a stock purchase agreement that seeks at least \$1 million in damages. Given the broad grant of jurisdiction under Section 111, however, parties would often file potential CCLD cases seeking money damages in the Court of Chancery instead. One of the likely effects of the Cross-Designation Order will be to disperse the number of Section 111 cases currently assigned to members of the Court of Chancery to the CCLD Judges who also have vast experience handling complex money-damages cases.

For more information on the CCLD, please [visit our website](#).

