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ARTICLE

# The Rapid Demise of *Gentile* Picks Up (Even More) Speed

**Published in *Bloomberg Law***

October 7, 2019

This article explores recent cases applying the Delaware Supreme Court's ruling in *Gentile v. Rossette*, the 2006 decision holding that a stockholder could bring a direct (rather than derivative) overpayment claim against a controlling stockholder when the controller engages in a conflicted transaction that extracts economic and voting power from the minority. In recent years, these cases have consistently narrowed *Gentile* and the continued possibility of post-merger stockholder lawsuits. Author and Litigation partner Jonathan Rotenberg says that, moving forward, the Delaware courts will likely seek to curtail *Gentile* even further, possibly resulting in the Delaware Supreme Court overruling *Gentile* itself.

Read "The Rapid Demise of *Gentile* Picks Up (Even More) Speed" in its entirety.

## CONTACTS

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