

**EFiled: Mar 28 2023 04:58PM EDT**  
**Filing ID 69667392**  
**Case Number 22,2023**



**IN THE SUPREME COURT OF THE STATE OF DELAWARE**

LEBANON COUNTY	)	
EMPLOYEES' RETIREMENT	)	
FUND and TEAMSTERS LOCAL	)	
443 HEALTH SERVICES &	)	
INSURANCE PLAN,	)	No. 22, 2023
	)	
Plaintiffs-Below, Appellants,	)	Court Below: Court of Chancery of the
	)	State of Delaware
v.	)	
	)	
STEVEN H. COLLIS, RICHARD W.	)	C.A. No. 2021-1118-JTL
GOCHNAUER, LON R.	)	
GREENBERG, JANE E. HENNEY,	)	
M.D., KATHLEEN W. HYLE,	)	
MICHAEL J. LONG, HENRY W.	)	
MCGEE, ORNELLA BARRA, D.	)	
MARK DURCAN, and CHRIS	)	
ZIMMERMAN,	)	
	)	
Defendants-Below, Appellees,	)	
	)	
-and-	)	
	)	
AMERISOURCEBERGEN	)	
CORPORATION,	)	
	)	
Nominal Defendant-Below,	)	
Appellee.	)	

**AMENDED NOTICE OF APPEAL**

TO: Stephen C. Norman, Esquire  
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**PLEASE TAKE NOTICE** that Lebanon County Employees' Retirement Fund and Teamsters Local 443 Health Services & Insurance Plan, Plaintiffs-Below/Appellants, do hereby appeal to the Supreme Court of the State of Delaware from the December 22, 2022 and March 21, 2023 Memorandum Opinions of the Court of Chancery of the State of Delaware by Vice Chancellor J. Travis Laster dismissing Plaintiffs-Below/Appellants' Verified Stockholder Derivative Complaint in C.A. No. 2021-1118-JTL and denying Plaintiffs-Below/Appellants subsequent Rule 60(b) motion for relief from Judgment and Order, respectively. A copy of the Memorandum Opinion dismissing the Complaint is attached as Exhibit A, and a copy of the Memorandum Opinion Denying the Rule 60(b) Motion is attached as Exhibit B.

The parties against whom this appeal is taken are Defendants-Below/Appellees: Steven H. Collis, Richard W. Gochnauer, Lon R. Greenberg, Jane E. Henney, M.D., Kathleen W. Hyle, Michael J. Long, Henry W. Mcgee, Ornella Barra, D. Mark Durcan, and Chris Zimmerman and Nominal Defendant AmerisourceBergen Corporation. There is no party against whom the appeal is not taken.

The names and address of the attorneys for Appellees are:

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**PLEASE TAKE FURTHER NOTICE** that, in accordance with Supreme Court Rules 7(c)(6) and 9(e)(ii), a transcription of the proceedings below need not be ordered because the proceedings have already been transcribed and are part of the record.

PRICKETT, JONES & ELLIOTT, P.A.

By: /s/ Samuel L. Closic  
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Dated: March 28, 2023

## **CERTIFICATE OF SERVICE**

I, Samuel L. Closic, hereby certify on this 28th day of March, 2023, that I caused a copy of the foregoing *Amended Notice of Appeal* to be served by eFiling via File & ServeXpress upon the following counsel of record:

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/s/ Samuel L. Closic  
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