

Delaware Supreme Court Oral Arguments



at the

**Ruby R. Vale
Moot Courtroom**

**Widener University
Delaware Law School**

April 1, 2026



The oral arguments today will be heard by the Supreme Court of Delaware sitting in panels of three Justices. The Justices will enter from the left side of the courtroom. They enter in the order in which their chairs are placed at the bench. The members of the Supreme Court are:

Chief Justice Collins J. Seitz, Jr.
Justice Gary F. Traynor
Justice Abigail M. LeGrow
Justice N. Christopher Griffiths

During oral argument, the Justices sit on the bench in order of seniority, with the Chief Justice or the Senior Justice in the center and the other Justices alternating on each side in order of seniority in office, starting to the right of the Chief Justice or Senior Justice.

Please do not bring cellular telephones, cameras, or other electronic equipment into the courtroom. Individuals are free to come and go between oral arguments; however, no one is permitted to enter or leave after an argument has started.

The Supreme Court of Delaware

ORAL ARGUMENTS

The Delaware Supreme Court is the highest court in the State of Delaware. The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, in civil cases as to final judgments, and for certain other orders of the Court of Chancery, the Superior Court, and the Family Court. The Supreme Court has discretionary jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus or to accept appeals of certain non-final orders or certified questions of law. The Court processes about 500 cases each year. There is no intermediate appellate court in Delaware.

The Supreme Court has offices in all three counties of the State. The Court sits in Dover, but the Justices maintain their chambers in the counties where they reside.

The Court decides appeals strictly on the basis of the record in the court below and the briefs with appendices. Parties before the Supreme Court are not permitted to conduct discovery, call witnesses, or offer any evidence that was not presented first to the court below.

The Court's procedures are published in the Rules of Court and further explained in the Court's Internal Operating Procedures.



THE JUSTICES

Although Delaware has had a Supreme Court since 1776, a separate and modern Supreme Court was established in 1951 by constitutional amendment. The State's first separate Supreme Court initially consisted of three Justices and was enlarged to the current five Justices in 1978.

The Supreme Court consists of a Chief Justice and four Justices who are appointed by the Governor and confirmed by the Senate. The Justices are appointed for 12-year terms. They must be learned in the law and citizens of the State.

ORAL ARGUMENT

Oral argument is a presentation by the lawyers who answer questions from the Court on the facts and the law involved in the case being appealed. It is a tradition that dates back to the early days of the English court system and is used in the Supreme Court of the United States and state appellate courts throughout the country.

The Court hears oral argument in about 30% of its cases. The remainder are decided in conference based on the briefs, appendices, and the record. Before a case is argued, the Justices will have read the briefs and appendices filed with the Clerk of the Supreme Court. These documents set forth the parties' respective positions and assist the Justices in deciding the case.

Oral argument is the only opportunity the Justices have to question, in person, the attorneys representing litigants about issues raised in their briefs.

The Justices usually sit in panels of three Justices to decide most cases, but they also sit *en banc*, with all five Justices, if a panel is unable to reach a unanimous decision or in certain other instances.

On occasion, a Justice may enter a recusal in a case because of a prior connection to the case, a conflict of interest, or other customary reasons for recusal. The reasons for a Justice's recusal are not announced to the litigants. When this happens, a judge from any of the State's constitutional courts, or a retired Justice may be appointed to sit on the Court.

The appellant usually argues first but has an opportunity to reserve part of the allotted time for rebuttal. Each side has 20 minutes to argue if the case is before a three justice panel of the Court or 25 minutes if the case is before the *en banc* (five member) Court.

AFTER ORAL ARGUMENT

The Justices hold a conference on each case after oral argument. At this time, the Justices may take a tentative vote on how the Court should resolve the case. The voting proceeds in reverse order of seniority. Final opinions and orders of the Court must be in writing. The Chief Justice, or the head of the panel if the Chief Justice is not assigned to the case, assigns the case to a Justice to write the opinion or order. When the draft is complete, the authoring Justice circulates it privately among the other Justices assigned to the case for review and comment. Once an opinion or order is approved by the Court, it is filed with the Clerk of the Supreme Court or a deputy clerk. The attorneys are notified, and the opinion is released to the public.

Opinions of the Delaware Supreme Court are published in the Atlantic Reporter and the Delaware Reporter published by Thomson West Publishing Company. As a service to the public, Supreme Court opinions and final orders are posted on the Supreme Court web site at <https://courts.delaware.gov/supreme>. The site also includes court forms, rules, and biographies with photographs of current Justices.

ORAL ARGUMENTS
WEDNESDAY, APRIL 1, 2026

10:00 a.m.

Paragon Metals Holdings LLC v. Smith, No. 385, 2025

This is the plaintiffs' appeal and the defendants' cross-appeal from the Superior Court's post-trial decision in favor of the defendants. The plaintiffs, purchasers of the defendants' company, alleged that the defendants knowingly made false representations and warranties to induce the purchase. The court held that the fraud claims failed because the plaintiffs did not conduct reasonable due diligence and ignored the defendants' disclosures. On appeal, the plaintiffs argue that the Superior Court: (i) erred in looking beyond the parties' agreement to assess whether the plaintiffs' reliance was reasonable; (ii) misapplied the standard for justifiable reliance; and (iii) erred in finding that the plaintiffs' reliance was unjustifiable. On cross-appeal, the defendants argue that the Superior Court erred by: (i) evaluating the plaintiffs' fraud claims based on the preponderance of the evidence standard instead of clear and convincing evidence; and (ii) finding that the defendants made false statements.

11:10 a.m.

SPCP Group, LLC v. Svalbard Holdings Ltd., No. 388, 2025

This is the plaintiff's appeal from the Court of Chancery's dismissal of its complaint for lack of personal jurisdiction. The plaintiffs asserted claims against the defendants for tortious interference with contract, unjust enrichment, and equitable conversion. The claims arose from the defendants' purchase of a customer claim in the bankruptcy of FTX Trading Ltd. The court held that the filing of a notice of transfer of claim with the United States Bankruptcy Court for the District of Delaware did not constitute the sufficient transaction of business in Delaware for the exercise of personal jurisdiction over the defendants. On appeal, the plaintiff argues that the Court of Chancery erred in holding that the plaintiffs failed to establish the defendants were subject to personal jurisdiction in Delaware.