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Transaction ID 45710219
Case No. 7109-VCN

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

ROBERT D. KEYSER, JR.,)
FRANK SALVATORE,)
and SCOTT SCHALK,)
)
Plaintiffs,)
)
v.)
)
TOM CURTIS, THOMAS HANDS,)
DONALD SHEK, and ALBERT POLIAK,)
)
Defendants,)
)
and)
)
ARK FINANCIAL SERVICES, INC.)
a Delaware corporation,)
)
Nominal Defendant.)

C.A. No. 7109 – VCN

[PROPOSED] ORDER AND FINAL JUDGMENT

For the reasons set forth in this Court’s Opinion of July 31, 2012, IT IS HEREBY ORDERED that:

1. Final judgment is entered in favor of Plaintiffs Robert D. Keyser, Jr., Frank Salvatore, and Scott Schalk (collectively, “Plaintiffs”) and against Defendants Albert Poliak, Tom Curtis, Donald Shek, and Thomas Hands (collectively, “Defendants”) as follows:
 - (a) The December 13, 2011 Written Consent (the “Written Consent”), which removed Tom Curtis, Donald Shek, and Thomas Hands as directors of Ark Financial Services, Inc. (“Ark”) and elected Robert D. Keyser, Jr., Frank Salvatore, and Scott Schalk as directors of Ark, was valid and effective; and
 - (b) The issuance of 25,000 shares of Series B Preferred Stock of Ark to Defendant Poliak on or about December 1, 2010 is invalid.

2. This order constitutes a final judgment on Plaintiffs' Verified Complaint under 8 *Del. C.* § 225.

3. The Stipulation and Order Maintaining Status Quo (the "Status Quo Order"), dated December 21, 2011, is hereby terminated and dissolved. For the avoidance of doubt, the termination and dissolution of the Status Quo Order shall not relieve any party from responsibility or liability for any breaches of the Status Quo Order from the time it was entered to the time of this final order and judgment.

4. Defendants shall pay Plaintiffs' litigation costs in the amount of \$2,954.50 and such other costs as may be assessed.

Vice Chancellor

1069198

This document constitutes a ruling of the court and should be treated as such.

Court: DE Court of Chancery Civil Action

Judge: John Noble

File & Serve

Transaction ID: 45702247

Current Date: Aug 03, 2012

Case Number: 7109-VCN

Case Name: CONF ORD Keyser, Robert D Jr vs Tom Curtis

Court Authorizer: John Noble

/s/ Judge John Noble