



Mootness attorney fee awards: Will New York prove less friendly than Delaware?

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David F. Wertheimer and Justin S. Brenner write: Over the past few years, there has been a marked trend of corporate governance litigation involving Delaware corporations being filed outside of Delaware's Court of Chancery. New York is seeing its share of that exodus. Whether that share expands may depend, at least partly, on whether New York law on the award of mootness fees evolves to be more or less favorable than Delaware law.

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