

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

(FILED – FEBRUARY 27, 2012)

WILLIAM H. GRADY, individually; and :
WILLIAM H. GRADY, derivatively on :
behalf of REBUILDERS AUTOMOTIVE :
SUPPLY CO., INC., as a shareholder :
of the corporation :

V. :

C.A. No. PB 09-0367
C.A. No. PB 09-0372
(consolidated)

ROBERT J. GRADY; and :
STEVEN M. KING :

ROBERT J. GRADY and STEVEN M. :
KING, individually and derivatively on :
behalf of REBUILDERS AUTOMOTIVE :
SUPPLY CO., INC. :

V. :

WILLIAM H. GRADY :

AMENDED DECISION

SILVERSTEIN, J. This Amended Decision is being filed to correct the following:

On Page 28, in the second paragraph the word “but” shall be deleted and replaced by the word “yet.” That sentence will now read as follows:

In the case at bar, the Court cannot yet conclude that a legitimate business purpose existed for William’s firing.

On Page 33, in the third sentence of Section IV, Conclusion, the following words shall be inserted after the word “specifically”: “whether a legitimate business purpose existed for William’s firing and.” That sentence shall now read as follows:

The Court finds, however, that material issues of fact remain with regard to whether or not Defendants breached their fiduciary duties owed to William when they terminated him on July 24, 2008- specifically whether a legitimate business purpose existed for William’s firing and whether firing William was the least harmful

alternative in dealing with his alleged misconduct and irresponsibility.

The remaining contents of the Decision filed on January 17, 2012 remain the same.