

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

CROSS LEDGE INVESTMENTS LLC, :
on Behalf of Itself and All Others :
Similarly Situated, :
Plaintiffs, :

v. :

C.A. No. PB 13-5770
(Consolidated With)

COSTA INC., RUSSELL A. BOSS, :
BERNARD V. BUONANNO, JR., :
DAVID G. WHALEN, JACOB C. :
GAFFEY, DWAIN L. HAHS, HARLAN :
M. KENT, ANDREW J. PARSONS, :
FRANCES P. PHILIP, ESSILOR :
INTERNATIONAL SA, and GWH :
ACQUISITION SUB INC., :
Defendants. :

JAMES HARASIN, on Behalf of Himself :
and All Others Similarly Situated, :
Plaintiffs, :

v. :

C.A. No. PB 13-5872
(Consolidated)

COSTA INC., DAVID G. WHALEN, :
RUSSELL A. BOSS, BERNARD V. :
BUONANNO, JR., DWAIN L. HAHS, :
JACOB C. GAFFEY, ANDREW J. :
PARSONS, HARLAN M. KENT, :
FRANCES P. PHILIP, ESSILOR :
INTERNATIONAL SA, and GWH :
ACQUISITION SUB INC., :
Defendants. :

EDWARD AND LYNN MARTINS, on :
Behalf of Themselves and All Others :
Similarly Situated, :
Plaintiffs, :

v. :

C.A. No. PC 13-5994
(Consolidated)

COSTA INC., GWH ACQUISITION :
SUB INC., RUSSELL A. BOSS, :
BERNARD V. BUONANNO, JR., :
JACOB C. GAFFEY, DWAIN L. HAHS, :
HARLAN M. KENT, ANDREW J. :
PARSONS, FRANCES P. PHILIP, :
DAVID G. WHALEN, :
Defendants. :

AMENDED DECISION

SILVERSTEIN, J. This Amended Decision is being filed to correct the following error contained in the original Decision filed on January 13, 2013:

On page 8, under the heading “Discussion,” the first sentence of the second paragraph should read:

“Our jurisprudence is not rich, insofar as dealing with matters of this nature; that is to say, putative public shareholder class actions involving corporate mergers and/or acquisitions.”

The remaining contents of the Decision filed on January 13, 2014 remain the same.



RHODE ISLAND SUPERIOR COURT

Amended Decision Addendum Sheet

TITLE OF CASE: Cross Ledge Investments LLC, et al. v. Costa Inc., et al.

CASE NO: C.A. No. PB 13-5770 (**Consolidated with**) PB 13-5872 and
C.A. No. PC 13-5994

COURT: Providence County Superior Court

DATE DECISION FILED: January 14, 2014 (Amended Decision)

JUSTICE/MAGISTRATE: Silverstein, J.

ATTORNEYS:

For Plaintiff: *See Attached List

For Defendant: *See Attached List

Cross Ledge Investments LLC, et al. v. Costa Inc., et al.
C.A. No. PB 13-5770
(Consolidated With)

James Harasin, et al. v. Costa Inc., et al.
C.A. No. PB 13-5872

Edward and Lynn Martins, et al. v. Costa Inc., et al.
C.A. No. PC 13-5994

Counsel for Plaintiffs:

Marc Ackerman, Esq.
mackerman@brodsky-smith.com

Jeremiah Lynch, Esq.
jlynch@mvlaw.com

James Notis, Esq.
jnotis@gardylaw.com

Brian Robbins, Esq.
brobbins@robbinsarroyo.com

Evan Smith, Esq.
esmith@brodsky-smith.com

Peter Wasylyk, Esq.
pnwlaw@aol.com

Counsel for Defendants:

*Defendants Costa Inc., David G. Whalen, Russell A. Boss, Bernard V. Buonanno, Jr.,
Dwain L. Hahs, Jacob C. Gaffey, Andrew J. Parsons, Harlan M. Kent, and Frances P. Philip*

Joshua Amsel, Esq.
Joshua.amsel@weil.com

Evert Christensen, Esq.
Evert.christensen@weil.com

Robert Flanders, Esq.
rflanders@hinckleyallen.com

John Neuwirth, Esq.
John.neuwirth@weil.com

Defendants Essilor International SA and GWH Acquisition Sub Inc.

Joseph Farside, Esq.
jfarside@edwardswildman.com

John Tumilty, Esq.
jtumilty@edwardswildman.com

The Honorable Michael A. Silverstein
msilverstein@courts.ri.gov

Jeanne Rinaldi, Deputy Clerk
jrinaldi@courts.ri.gov

Patrick McBurney, Law Clerk
pmcburney@courts.ri.gov