



ASHBY & GEDDES

ATTORNEYS AND COUNSELLORS AT LAW
500 DELAWARE AVENUE
P. O. BOX 1150
WILMINGTON, DELAWARE 19899

TELEPHONE
302-654-1888
FACSIMILE
302-654-2067

December 3, 2024

By File & ServeXpress

The Honorable Sam Glasscock III
Court of Chancery Courthouse
34 The Circle
Georgetown, DE 19947

Re: *P.F. Chang's China Bistro, Inc. v. UKG, Inc. d/b/a Ultimate Kronos Group*, C.A. No. 2022-1174-SG

Dear Vice Chancellor Glasscock:

I write on behalf of Plaintiff P.F. Chang's China Bistro, Inc. ("PFC"), pursuant to the Court's August 14, 2023 letter Order, to provide the Court with an update on the status of this matter.

PFC commenced this action against Defendant UKG, Inc. ("UKG") on December 19, 2022. The Verified Complaint asserts a number of claims regarding the retention and transfer of confidential, PFC-owned HR data and information stored by UKG following PFC's termination of the parties' servicing agreement. The Verified Complaint seeks injunctive relief, monetary damages, a judicial declaration, and related relief. Although PFC initially sought expedition of the action, it was removed from that track after the parties began discussions, and later efforts, to attempt to resolve the issue of collection and transfer of the PFC data.

As we have previously reported, a large number of files have been recovered and transferred by UKG to PFC, including files and data that PFC either believes had not been or were believed to have not been provided to PFC. PFC continues to work to verify and confirm the completeness of those voluminous files, as well as to confirm the data being transferred is complete. PFC personnel, including its Director of Infrastructure and Engineering and counsel, continue to work to analyze the provided data to ensure PFC receives complete copies of all of the PFC data and information stored by UKG, and that data can be appropriately synthesized for use by PFC.

The parties continue to confer as to the contemplated process we have noted in our previous letters (and which would result in the dismissal of this action), and individuals within PFC are currently discussing internally the latest information provided by UKG. Once again, we remain hopeful that the parties' process will result in the voluntary dismissal of this action without the need for further action from the Court.

* * *

We are available at the Court's convenience if Your Honor has any further questions.

Respectfully submitted,

/s/ F. Troupe Mickler IV

F. Troupe Mickler IV (#5361)

Words / Limit: 325 / 1,000

cc: Register in Chancery (by File & ServeXpress)
Susan Hannigan Cohen, Esquire (by email)