



GRANTED WITH MODIFICATIONS

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

LOUIS DUCHESNEAU; JOEL CAPLAN;
MARC ARONOFF; RICARDO
ALEXANDER GOMEZ; DAVID A.
KUPIDLOWSKI; DIANE T. KUPIDLOWSKI;
NATALIE VERMETTE; LUCIE DESILETS;
SYLVAIN BOISCLAIR; THOMAS PAUL;
ALAIN PERACCA; KIMBERLY
FRANKLIN; and JAMES FRANKLIN,
individually and on behalf of his minor sons,
P. F. and V. F.,

Plaintiffs,

v.

ADVANCED BATTERY TECHNOLOGIES,
INC.,

Defendant.

C.A. No. 11226-ML

SOUTHPAW CREDIT OPPORTUNITY
MASTER FUND LP,

Plaintiff,

v.

ADVANCED BATTERY TECHNOLOGIES,
INC.,

Defendant.

C.A. No. 9542-ML

PROPOSED ORDER

Upon consideration of Plaintiffs' Motion for Contempt and Consolidation, and any response thereto,

IT IS HEREBY ORDERED that Plaintiffs' Motion is GRANTED, and:

1. Defendant Advanced Battery Technologies, Inc. ("ABAT") is in contempt of the Court's August 25, 2015 Order granting Plaintiffs' motion for default judgment;
2. Plaintiffs are awarded their attorneys' fees and costs, including fees and costs to be incurred in connection with the enforcement of this Court's orders;
3. Plaintiffs are awarded the option of putting their shares to ABAT at \$27.50 per share; and
4. The above-captioned actions are consolidated into a single action to proceed on the same schedule as entered by the Court on August 25, 2015 in *Southpaw Credit Opportunity Master Fund LP v. Advanced Battery Technologies, Inc.*, Del. Ch., C.A. No. 9542-ML. The consolidated action shall proceed under the following caption:

IN RE:
ADVANCED BATTERY TECHNOLOGIES,
INC. LITIGATION

Consolidated
C.A. No. 9542-ML

/s/ Abigail M. LeGrow
Master in Chancery

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

Court: DE Court of Chancery Civil Action

Judge: Multi-Case

File & Serve

Transaction ID: 57968536

Current Date: Oct 08, 2015

Case Number: Multi-Case

Case Name: Multi-Case

/s/ **Judge LeGrow, Abigail**