

SUPREME COURT OF THE STATE OF DELAWARE

Axos Financial, Inc. v. Legent Group, LLC

No. 15, 2026 · No. No. 15, 2026 · Decided March 24, 2026

SUMMARY

The Delaware Supreme Court dismissed an appeal as interlocutory because the Court of Chancery had not yet resolved the amount of attorneys’ fees awarded in connection with discovery sanctions. The Court held that the January 8, 2026 order titled “Final Order and Judgment” was not final for purposes of appeal and directed that the filing fee be applied to any future appeal from a final order.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Abigail M. LeGrow; Traynor, Justice; Legrow, Justice; Griffiths, Justice
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	March 24, 2026
DOCKET	No. 15, 2026
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants below appealed from the Court of Chancery's post-trial opinion, sanctions decision, and implementing order while the amount of attorneys' fees awarded in connection with discovery conduct remained unresolved.
STANDARD OF REVIEW	The Supreme Court reviewed whether the challenged order was a final judgment appealable as of right; absent compliance with Supreme Court Rule 42, its review was limited to a trial court's final judgment.
PRECEDENTIAL VALUE	precedential
PARTIES	Axos Financial, Inc., Axos Securities, LLC, Axos Clearing, Inc., Axos Clearing LLC v. Legent Group, LLC, COR Advisors LLC, St. Cloud Capital Partners II, L.P., Carlos P. Salas

TOPICS

- interlocutory appeal
- final judgment rule
- appellate jurisdiction
- appellate procedure
- attorney fees

PRACTICE AREAS

Appellate procedure

Civil procedure

Commercial litigation

QUESTIONS PRESENTED

1. Whether the appeal was properly taken from a final judgment when the amount of attorneys' fees awarded by the Court of Chancery remained unresolved.
2. Whether the appeal should be dismissed as interlocutory for failure to comply with Supreme Court Rule 42.

HOLDINGS

1. An order is not final for purposes of appeal when the amount of attorneys' fees awarded remains unresolved; the appeal was therefore interlocutory.
2. The appeal was dismissed as interlocutory under Delaware Supreme Court Rule 29(b), and the filing fee was directed to be applied to any future appeal from a final order in the case.

KEY QUOTATIONS

“A final judgment is generally defined as one that determines the merits of the controversy or defines the rights of the parties and leaves nothing for future determination or consideration.” (3)

“The mere titling of an order as a ‘Final Order and Judgment’ is not dispositive of its finality for purposes of appeal.” (3)

FACTUAL BACKGROUND

The Court of Chancery entered a post-trial opinion for plaintiffs and awarded plaintiffs attorneys' fees and costs arising from defendants' discovery conduct. Although the court later entered a Final Order and Judgment awarding identified costs, the amount of attorneys' fees remained unresolved in a separate order.

PROCEDURAL HISTORY

The Court of Chancery issued a post-trial opinion in favor of plaintiffs and separately awarded attorneys' fees and costs in part for defendants' discovery conduct. After entering an order resolving costs but leaving the amount of attorneys' fees unresolved, the Court of Chancery appeal was filed. The Delaware Supreme Court issued a notice to show cause and dismissed the appeal as interlocutory under Supreme Court Rule 29(b), applying Supreme Court Rule 42.

DISPOSITION

dismissed

CASES CITED

- Legent Group, LLC v. Axos Fin'l, Inc., 2025 WL 3124529 (Del. Ch. Nov. 7, 2025)

- Legent Group, LLC v. Axos Fin'l, Inc., 2025 WL 3126872 (Del. Ch. Nov. 7, 2025)
- Julian v. State, 440 A.2d 990, 991 (Del. 1982)
- Showell Poultry, Inc. v. Delmarva Poultry Corp., 146 A.2d 794, 796 (Del. 1958)
- Gaffin v. Teledyne, Inc., 602 A.2d 1081, 1991 WL 181488, at *1 (Del. Aug. 23, 1991) (TABLE)
- Wollner v. PearPop, Inc., 281 A.3d 1271, 2022 WL 2903103, at *1 (Del. July 21, 2022) (TABLE)

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