



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

DANIEL JAIYONG AN

Petitioner,

v.

ARCHBLOCK INC,

Respondent.

C.A. No. _____

VERIFIED PETITION FOR APPRAISAL

I, Daniel Jaiyong An, the petitioner, hereby petition the Court of Chancery for a determination of the fair value of shares of Archblock, Inc. (“Archblock” or “Respondent”) and in support thereof states as follows:

1. I, Daniel Jaiyong An, am a stockholder of Archblock, as detailed below, and the petitioner in this action.
2. On June 29, 2023, Archblock Inc., entered into an Agreement and Plan of Merger (the “Merger Agreement”) to be acquired by Archblock (Holding) AG, an entity formed under Chapter 26 of the Swiss Code of Obligations (“SwissCo”). The Merger Agreement provided for a reorganization merger, pursuant to which SwissCo will become the sole stockholder of the merged entities, and the stockholders of the Company will be issued shares of SwissCo (the “Reorganization Merger”).

3. As of the consummation of the Reorganization Merger, I am the record owner of 800,000 shares of Founders Preferred Stock and 3,200,000 shares of Common Stock of Archblock, Inc.

4. By notice dated November 8, 2023, and November 14, 2023, I delivered to Respondent timely written demands for appraisal of the Appraisal Shares pursuant to Section 262 of the DGCL (the “Appraisal Demands”). Copies of the Appraisal Demands are attached hereto as Exhibit 1.

5. Pursuant to 8 Del. C. 262, I hereby petition the Court for an appraisal of all of my shares in Archblock.

6. I declined a request by Respondent to approve by written consent the Reorganization Merger, which was requested of me on or around June 14, 2023. And I did not vote any of the shares in favor of the Reorganization Merger or otherwise consent to the Reorganization Merger. Indeed, I requested a temporary restraining order to enjoin the consummation of the merger in July 2023.

7. According to notices provided by the Company, the Reorganization Merger became effective on December 20, 2023. The notices informed me of my right to seek appraisal of my shares under the DGCL. Pursuant to the Merger Agreement, Archblock apparently received shares of SwissCo in exchange for each share of Archblock common stock owned by them immediately prior to such reorganization transaction. See Ex. 5.

8. As a result of the Reorganization Merger, I became entitled to payment of the fair value of Archblock stock upon compliance with the provisions of Section 262 of the DGCL.

9. I have perfected their appraisal rights in connection with the Reorganization Merger in accordance with Section 262 of the DGCL. I (i) have not voted in favor of the Reorganization Merger or consented thereto; (ii) have not accepted any Merger Consideration from Respondent in connection with the Reorganization Merger for any of the Appraisal Shares; (iii) have not reached an agreement with Respondent as to the value of the Appraisal Shares; and (iv) have not withdrawn their demand for appraisal with respect to the Appraisal Shares.

10. I am entitled to an appraisal of the fair value of their shares of Respondent's stock in accordance with the provisions of Section 262 of the DGCL, and have no adequate remedy at law.

11. I am also entitled to the applicable rate of interest, described in Section 262(h) of the DGCL, accruing from the effective date of the Reorganization Merger.

WHEREFORE, I, Daniel Jaiyong An, respectfully request that this Court:

a) Determine that I am entitled to appraisal and payment of the fair value of Appraisal Shares pursuant to Section 262 of the DGCL;

- b) Determine the fair value of the Appraisal Shares at the time of the Reorganization Merger on December 20, 2023;
- c) Direct Respondent to pay that value, together with the applicable interest at the statutory rate;
- d) Direct Respondent to pay all expenses incurred by Petitioners in connection with the determination of the value of Petitioners' Appraisal Shares, including without limitation costs, attorneys' fees, and fees and expenses of experts; and
- e) Grant such other and further relief as the Court determines just, proper, and equitable under the circumstances.

Dated: February 6, 2024



Daniel Jaiyong An

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For Plaintiff, Pro Se