

(B) IN ADDITION TO THE REDEMPTION RIGHTS AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION, UNLESS THE CHARTER OR BYLAWS PROVIDE OTHERWISE, IF AN ACQUIRING PERSON STATEMENT HAS NOT BEEN DELIVERED ON OR BEFORE THE 10TH DAY AFTER THE CONTROL SHARE ACQUISITION, THE CORPORATION MAY, AT ITS OPTION, REDEEM ANY OR ALL CONTROL SHARES, EXCEPT CONTROL SHARES FOR WHICH VOTING RIGHTS HAVE BEEN PREVIOUSLY APPROVED UNDER § 3-702 OF THIS SUBTITLE, AT ANY TIME DURING A PERIOD COMMENCING ON THE 11TH DAY AFTER THE CONTROL SHARE ACQUISITION AND ENDING 60 DAYS AFTER A STATEMENT HAS BEEN DELIVERED.

(C) ANY REDEMPTION OF CONTROL SHARES UNDER THIS SECTION SHALL BE AT THE FAIR VALUE OF THE SHARES. FOR PURPOSES OF THIS SECTION, "FAIR VALUE" SHALL BE DETERMINED:

(1) AS OF THE DATE OF THE LAST ACQUISITION OF CONTROL SHARES BY THE ACQUIRING PERSON IN A CONTROL SHARE ACQUISITION OR, IF A MEETING IS HELD UNDER § 3-704 OF THIS SUBTITLE, AS OF THE DATE OF THE MEETING; AND

(2) WITHOUT REGARD TO THE ABSENCE OF VOTING RIGHTS FOR THE CONTROL SHARES.

3-708.

(A) UNLESS THE CHARTER OR BYLAWS PROVIDE OTHERWISE, BEFORE A CONTROL SHARE ACQUISITION HAS OCCURRED, IF VOTING RIGHTS FOR CONTROL SHARES ARE APPROVED AT A MEETING HELD UNDER § 3-704 OF THIS SUBTITLE AND THE ACQUIRING PERSON IS ENTITLED TO EXERCISE OR DIRECT THE EXERCISE OF A MAJORITY OR MORE OF ALL VOTING POWER, ALL STOCKHOLDERS OF THE CORPORATION (OTHER THAN THE ACQUIRING PERSON) HAVE THE RIGHTS OF OBJECTING STOCKHOLDERS AS PROVIDED IN SUBTITLE 2 OF THIS TITLE.

(B) FOR PURPOSES OF APPLYING THE PROVISIONS OF SUBTITLE 2 OF THIS TITLE TO STOCKHOLDERS UNDER THIS SECTION, THE CORPORATION SHALL BE DEEMED TO BE A SUCCESSOR IN A MERGER AND THE DATE OF THE MOST RECENT APPROVAL OF VOTING RIGHTS REFERRED TO IN SUBSECTION (A) OF THIS SECTION SHALL BE DEEMED TO BE THE DATE OF FILING OF ARTICLES OF MERGER FOR RECORD WITH THE DEPARTMENT.

(C) THE NOTICE REQUIRED BY § 3-207 OF THIS TITLE SHALL ALSO STATE THAT STOCKHOLDERS (OTHER THAN THE ACQUIRING PERSON) ARE ENTITLED TO THE RIGHTS OF OBJECTING STOCKHOLDERS UNDER SUBTITLE 2 OF THIS TITLE AND SHALL INCLUDE A COPY OF THIS SECTION AND SUBTITLE 2 OF THIS TITLE.

(D) FOR PURPOSES OF APPLYING THE PROVISIONS OF SUBTITLE 2 OF THIS TITLE TO THIS SECTION:

(1) "FAIR VALUE" MAY NOT BE LESS THAN THE HIGHEST PRICE PER SHARE PAID BY THE ACQUIRING PERSON IN THE CONTROL SHARE ACQUISITION; AND