## IN THE SUPREME COURT OF THE STATE OF DELAWARE

No. 580, 2007
}
Court Below – Superior Court
of the state of Delaware,
in and for New Castle County
C.A. No. 07C-03-069
}
}
}
}

Submitted: September 17, 2008 Decided: September 18, 2008

Before HOLLAND, BERGER and RIDGELY, Justices.

## ORDER

This 18th day of September 2008, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its opinion dated October 18, 2007.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland Justice