

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM COCKERHAM,	§	
	§	No. 516, 2004
Employee-Appellant Below,	§	
Appellant,	§	Court Below: Superior Court of
	§	the State of Delaware in and for
v.	§	New Castle County
	§	
PATHMARK STORES, INC,	§	C. A. No. 04A-02-003
	§	
Employer-Appellee Below,	§	
Appellee.	§	

Submitted: March 2, 2005

Decided: March 3, 2005

Before **STEELE**, Chief Justice, **BERGER** and **JACOBS**, Justices.

ORDER

This 3rd day of March 2005, upon consideration of the briefs of the parties, it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its well-reasoned opinion dated November 9, 2004.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is **AFFIRMED**.

BY THE COURT:

/s/ Jack B. Jacobs
Justice