

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IMO INDUSTRIES, INC., a Delaware Corporation, )  
 ) No. 208, 2005  
 )  
 Plaintiff Below, ) Court Below: Chancery Court  
 Appellant, ) of the State of Delaware in  
 ) and for New Castle County  
 v. )  
 ) C.A. No. 20142  
 SIEMENS DEMAG DELAVAL )  
 TURBOMACHINERY, INC., a Delaware Corporation, )  
 )  
 Defendants Below, )  
 Appellees, )  
 )  
 MANNESMANN CORPORATION, f/k/a/ )  
 Mannesmann Capital Corporation, a )  
 Delaware Corporation; DEMAG DELAVAL )  
 TURBOMACHINERY CORPORATION, )  
 a Delaware corporation; SIEMENS )  
 WESTINGHOUSE POWER )  
 CORPORATION, a Delaware Corporation; )  
 and SIEMENS CORPORATION, a )  
 Delaware corporation, )  
 )  
 Intervenor-Appellees. )

Submitted: November 10, 2005

Decided: November 23, 2005

Before **STEELE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices.

***ORDER***

This 23<sup>rd</sup> day of November 2005, upon consideration of the briefs of the parties, and their contentions in oral argument, it appears to the Court that the judgment of the Chancery Court should be affirmed on the basis of and for the reasons set forth in its decision dated May 4, 2005.

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

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice