

Before **HOLLAND, BERGER, and RIDGELY**, Justices.

ORDER

This 6th day of November 2006, after careful consideration of the parties' briefs and oral argument on appeal, we find it manifest that the judgment below should be affirmed on the basis of both the Court of Chancery's well-reasoned opinion dated February 13, 2006 and this Court's recent opinion in *Stone v. Ritter*, Del. Supr., No. 93, 2006, Holland, J. (Nov. 6, 2006).

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

BY THE COURT:

/s/ Randy J. Holland
Justice