

Considering the evidence in the light most favorable to Plaintiff, a genuine issue of material fact exists as to whether Defendant was consciously indifferent to the consequence of its acts. Accordingly, Summary Judgment as to punitive damages is **DENIED**.

IT IS SO ORDERED.

John A. Parkins, Jr.
Superior Court Judge

Dated: January 24, 2012

oc: Prothonotary
cc: A. Dale Bowers, Esquire, Wilmington, Delaware, Attorney for Plaintiff
Sherry Ruggiero Fallon, Esquire, and Sarah A. Roberts, Esquire,
Wilmington, Delaware, Attorneys for Defendant