

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**  
**IN AND FOR NEW CASTLE COUNTY**

A.J. COX,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No.: 04C-03-195 SCD
	:	
BRUCE BOYER,	:	
	:	
Defendant.	:	
	:	
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BRUCE BOYER and	:	
SLOAN MANAGEMENT, INC.,	:	
	:	
Counterclaim Plaintiffs,	:	
	:	
v.	:	
	:	
A.J. COX, and	:	
BROADMEADOW HEALTH CARE, LLP,	:	
	:	
Counterclaim Defendants.	:	

Submitted: July 22, 2004  
Decided: August 23, 2004

**ORDER**

This 23<sup>rd</sup> day of August, 2004, upon consideration of Defendant, Bruce Boyer’s (“Boyer”), motion for reargument as to the issues of severance and the “Lender’s ‘Set-off’ Remedy”, it appears:

1. Boyer advances no new facts or arguments as were previously submitted in their original motion decided by the Court on July 9, 2004.

2. To prevail on a motion for reargument a party must demonstrate that the Court has misapprehended the law or the facts such as would affect the outcome of the decision.<sup>1</sup> The need for reargument has not been demonstrated.

WHEREFORE, the motion for reargument is DENIED.

IT IS SO ORDERED.

/s/ Susan C. Del Pesco  
Judge Susan C. Del Pesco

Original to Prothonotary  
xc: Counsel of Record

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<sup>1</sup> *Monsanto Co. v. Aetna Cas. & Surety Co.*, Del. Super., C.A. No. 88-JA-118, Ridgely, P.J. (Jan. 14, 1994) citing *Wilshire Rest. Group, Inc. v. Ramada, Inc.*, Del. Ch., C.A. No. 11506, Jacobs, V.C. (Dec. 27, 1990) (Letter Op.), 1990 Del. Ch. LEXIS 212.