IN THE SUPREME COURT OF THE STATE OF DELAWARE

§
§ No. 62, 2008
§
§ Court Below – Superior Court
§ of the State of Delaware,
§ C.A. No. 07A-02-004
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Submitted: May 21, 2008 Decided: June 9, 2008

Before HOLLAND, JACOBS, and RIDGELY, Justices.

O R D E R

This 9th day of June 2008, the Court having considered this matter on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned decision dated January 10, 2008.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

<u>/s/ Randy J. Holland</u> Justice