

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAMELA CARVEL, individually	§	
and as Ancillary Administratrix with	§	No. 523, 2008
Will Annexed of Agnes Carvel,	§	
	§	Court Below—Court of
Respondent Below,	§	Chancery of the State of
Appellant,	§	Delaware in and for New
	§	Castle County
v.	§	
	§	
THE THOMAS AND AGNES	§	
CARVEL FOUNDATION,	§	
	§	
Petitioner Below,	§	C.A. No. 3185
Appellee.	§	

Submitted: March 13, 2009

Decided: March 19, 2009

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

ORDER

This 19th day of March 2009, upon consideration of the briefs of the parties, it appears to the Court that:

(1) In the underlying Court of Chancery action, The Thomas and Agnes Carvel Foundation (“the Foundation”) sought to remove Pamela Carvel (“Carvel”) as Delaware ancillary administrator of the estate of Agnes Carvel (“the Estate”). The Foundation is the residuary beneficiary of the Estate.

(2) Carvel has appealed the Court of Chancery's memorandum opinion of September 30, 2008, that granted summary judgment to the Foundation, removed Carvel as ancillary administrator of the Estate, and denied Carvel's motion for intermediate accounting and related motions, including her motion for litigation expenses.¹ After careful consideration of the parties' briefs, we have concluded that the judgment of the Court of Chancery should be affirmed on the basis of, and for the reasons set forth in, the Court's memorandum opinion of September 30, 2008.²

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

BY THE COURT:

/s/ Randy J. Holland

Justice

¹ *The Thomas and Agnes Carvel Found. v. Carvel*, 2008 WL 4482703 (Del. Ch.).

² *Id.*