

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NORFOLK COUNTY	§
RETIREMENT SYSTEM,	§ No. 118, 2009
	§
Plaintiff Below,	§
Appellant,	§ Court Below – Court of Chancery
	§ of the State of Delaware
v.	§
	§ C.A. No. 3443
JOS. A. BANK CLOTHIERS, INC.,	§
	§
Defendant Below,	§
Appellee.	§

Submitted: July 29, 2009

Decided: July 30, 2009

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

**ORDER**

This 30th day of July 2009, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Court of Chancery should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its decision dated February 12, 2009.

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

BY THE COURT:

/s/ Randy J. Holland  
Justice