

ORDER

This 12th day of November, 2003, the Court, having considered this matter on the briefs of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its order dated June 5, 2003,

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/ Carolyn Berger
Justice