

IN THE SUPREME COURT OF THE STATE OF DELAWARE

FRANKLIN BROWN,	§	
	§	No. 438, 2016
Plaintiff Below,	§	
Appellant,	§	
	§	Court Below: Court of Chancery
v.	§	of the State of Delaware
	§	
RITE AID CORPORATION,	§	C.A. No. 11596-VCL
	§	
Defendant Below,	§	
Appellee.	§	

Submitted: February 22, 2017

Decided: February 23, 2017

Before **STRINE**, Chief Justice; **HOLLAND**, **VAUGHN**, **SEITZ**, Justices; and **RENNIE**, Judge,* constituting the Court *en Banc*.

ORDER

This 23rd day of February 2017, it appears to the Court that the judgment of the Court of Chancery should be affirmed on the basis of and for the reasons assigned in its bench ruling dated August 22, 2016¹ and Order and Final Judgment dated August 24, 2016.²

* Sitting by designation under Del. Const. art. IV, § 12.

¹ *Brown v. Rite Aid*, C.A. No. 11596 (Del. Ch. Aug. 22, 2016).

² *Brown v. Rite Aid*, C.A. No. 11596 (Del. Ch. Aug. 24, 2016) (ORDER).

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

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice