

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILOURDE DECEMBRE,	§	No. 336, 2017
	§	
Claimant-Appellant Below,	§	
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware
	§	
PERDUE FARMS LLC, and	§	C.A. No. S16A-05-003 ESB
BAYHEALTH MEDICAL CENTER,	§	
INC., dba KENT GENERAL	§	
HOSPITAL,	§	
	§	
Employer-Appellees Below,	§	
Appellees.	§	

Submitted: March 21, 2018

Decided: March 22, 2018

Before **STRINE**, Chief Justice; **VAUGHN**, and **TRAYNOR**, Justices.

**ORDER**

We affirm the judgment of the Superior Court dated July 25, 2017.<sup>1</sup> The sole issue fairly raised below and before us is whether the Industrial Accident Board (“IAB”) should have awarded counsel for the appellant an attorney’s charging lien. The IAB and Superior Court properly rejected that contention. Whether there was another proper basis for the IAB to award attorney’s fees was not fairly argued to

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<sup>1</sup> *Milourde Decembre v. Perdue Farms, LLC*, C.A. No. S16A-05-003-ESB (Del. Super. Ct. July 25, 2017).

the Superior Court or us, and therefore we have not considered any other basis for an award other than the one fairly argued.

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

BY THE COURT:

/s/ Leo E. Strine, Jr. \_\_\_\_\_

Chief Justice