

IN THE SUPREME COURT OF THE STATE OF DELAWARE

UTILITY SYSTEMS, INC., a	§	
Delaware corporation,	§	
	§	No. 171, 2001
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court of
	§	the State of Delaware in and for
v.	§	Sussex County
	§	
BARRY D. NICHOLS, on behalf	§	
of himself and all others similarly	§	
situated,	§	C. A. No. 98C-10-004
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: October 24, 2001  
Decided: December 21, 2001

Before **VEASEY**, Chief Justice, **WALSH** and **STEELE**, Justices.

**ORDER**

This 21<sup>st</sup> day of December 2001, upon consideration of the briefs of the parties, it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its decision dated March 1, 2001.

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

BY THE COURT:

/s/ E. Norman Veasey  
Chief Justice

