

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                       |                                    |
|-----------------------|------------------------------------|
| ROBERT E. BLOSS and   | §                                  |
| BRANDYWINE SOFTWARE,  | § No. 391, 2000                    |
| INC.,                 | §                                  |
|                       | § Court Below: Superior Court of   |
| Plaintiffs Below,     | § the State of Delaware in and for |
| Appellants,           | § New Castle County                |
|                       | §                                  |
| v.                    | § C. A. No. 93C-04-282             |
|                       | §                                  |
| VANCE V. KERSHNER and | §                                  |
| LabWare, LTD.,        | §                                  |
|                       | §                                  |
| Defendants Below,     | §                                  |
| Appellees.            | §                                  |

Submitted: December 11, 2001

Decided: December 21, 2001

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

**ORDER**

This 21<sup>st</sup> day of December 2001, the Court, having carefully considered the decision and judgment of the Superior Court dated March 9, 2001, together with the briefs of the parties and their contentions in oral argument, has determined as follows:

To the extent that (a) the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; (b) the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions;

and (c) the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied.

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

BY THE COURT:

/s/ E. Norman Veasey  
Chief Justice