

IN THE SUPREME COURT OF THE STATE OF DELAWARE

INSTITUTIONAL DENTAL	§
CARE, INC.,	§
	§
Plaintiff Below,	§
Appellant,	§ No. 201, 2001
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware in and
PRISON HEALTH SERVICES,	§ for New Castle County
INC.,	§ C.A. No. 99C-03-065
	§
Defendant Below,	§
Appellee.	§

Submitted: November 14, 2001

Decided: November 19, 2001

Before WALSH, HOLLAND and BERGER, Justices.

ORDER

This 19th day of November 2001, upon consideration of the briefs of the parties, we conclude that the Superior Court did not err in dismissing appellant's claim of a deceptive trade practice under 6 *Del. C.* § 2532. As a matter of law, appellant failed to support its claim that the action of the parties in their contractual relationship constituted a violation of the Deceptive Trade Practices Act. Accordingly, the grant of summary judgment in favor of the appellee was appropriate.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court be, and the same hereby is,

AFFIRMED.

BY THE COURT:

s/ Joseph T. Walsh
Justice