

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CAPANO GROUP, L.L.C. and	§
LOUIS CAPANO & SONS, INC.,	§
	§
Defendants/Counterclaim	§
Plaintiffs Below, Appellants,	§ No. 561, 2000
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware in and
THE GREAT ATLANTIC & PACIFIC	§ for New Castle County
TEA COMPANY, INC.,	§ C.A. No. 00C-07-084
	§
Plaintiff/Counterclaim	§
Defendant Below, Appellee.	§

Submitted: April 24, 2001

Decided: April 27, 2001

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

O R D E R

This 27<sup>th</sup> day of April 2001, upon consideration of the briefs of the parties, the Court concludes that the Superior Court correctly determined that the lease agreement between the parties was clear and unambiguous with respect to the amount of the rental obligation. Accordingly, the Superior Court properly declined to accept extrinsic evidence concerning the intention of the parties. *See Hibbert v. Hollywood Park, Inc.*, Del. Supr., 457 A.2d 339, 343 (1987).

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