

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HORACE McCLAIN,	§	
	§	No. 400, 2011
Plaintiff Below,	§	
Appellant,	§	
	§	
v.	§	
	§	Court Below:
	§	Superior Court of the
McDONALD'S RESTAURANTS	§	State of Delaware, in and
OF DELAWARE, INC., a Delaware	§	for New Castle County
Corporation,	§	
	§	
Defendant Below,	§	C.A. No. N09C-06-275
Appellee.	§	

Submitted: November 30, 2011

Decided: December 1, 2011

Before **STEELE**, Chief Justice, **BERGER** and **RIDGELY**, Justices.

ORDER

This 1st day of December 2011, the Court, having considered this matter on the briefs of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision of July 5, 2011;

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

BY THE COURT:

/s/ Carolyn Berger
Justice