

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ACORN USA HOLDINGS LLC,	§
a Limited Liability Company,	§
	§ No. 392, 2003
Plaintiff Below,	§
Appellant,	§ Court Below: Superior Court of
	§ the State of Delaware in and for
v.	§ New Castle County
	§
PREMARK INTERNATIONAL,	§ C.A. No. 00C-10-226
INC., a Delaware corporation,	§
ILLINOIS TOOL WORKS, INC.,	§
a Delaware corporation, and	§
FLORIDA TILE INDUSTRIES,	§
INC., a Florida corporation,	§
	§
Defendants Below,	§
Appellees.	§

Submitted: January 6, 2004

Decided: March 2, 2004

Before **VEASEY**, Chief Justice, **HOLLAND**, **BERGER**, **STEELE** and **JACOBS**, Justices, constituting the Court en Banc.

**ORDER**

This 2<sup>nd</sup> day of March 2004, this Court having carefully considered the separate decisions of the Superior Court dated July 16, 2003 and the contentions of the parties on this appeal with respect thereto as set forth in their briefs and at oral argument held on January 6, 2004, it appears that the Superior Court correctly granted the motions

for summary judgment of Defendants Premark International, Inc., Florida Tile Industries, Inc., and Illinois Tool Works, Inc.

NOW, THEREFORE, IT IS ORDERED that the judgments of the Superior Court dated July 16, 2003, are AFFIRMED on the basis of and for the reasons set forth in the separate, contemporaneous and well-reasoned opinions of the Superior Court of the same date.

BY THE COURT:

/s/ E. Norman Veasey  
Chief Justice