

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JERRY P. GILBERT,	§
CRAIG S. GILBERT, JR., and	§
CONSTANCE V. GILBERT,	§
	§
Defendants Below,	§
Appellants,	§ No. 95, 2000
	§
v.	§ Court Below: Court of Chancery
	§ of the State of Delaware in and for
ROBERT L. KOSSAK,	§ New Castle County
	§ C.A. No. 17198
Plaintiff Below,	§
Appellee.	§

Submitted: October 17, 2000

Decided: October 25, 2000

Before WALSH, HOLLAND, and BERGER, Justices.

O R D E R

This 25th day of October 2000, upon consideration of the briefs of the parties, we conclude that the Court of Chancery exercised its discretion in awarding counsel fees and costs pursuant to 10 *Del. C.* § 5106 and Rule 54(d) of the Rules of the Court of Chancery. We find no abuse of that discretion and, accordingly, affirm.

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

AFFIRMED.

BY THE COURT:

s/Joseph T. Walsh
Justice