

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PLAYTEX PRODUCTS, INC.,	§
	§
Employer Below-	§ No. 487, 2004
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
GLORIA F. WOODALL,	§ in and for Kent County
	§ C.A. No. 01A-07-002 and
Claimant Below-	§ C.A. No. 04A-04-001
Appellee.	§

Submitted: November 29, 2004

Decided: December 27, 2004

ORDER

This 27th day of December 2004, it appears to the Court that the appellee filed a motion to dismiss this appeal on the ground that the appeal is interlocutory because an attorneys fee application remains pending in the Superior Court. The appellant filed a response that does not contest either the facts or the law recited in the motion to dismiss. The motion, therefore, is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED that the within appeal hereby is DISMISSED.

BY THE COURT:

/s/Henry duPont Ridgely
Justice

Oc: Clerk (+3)
Xc: Hon. James T. Vaughn
Hon. William L. Witham
Walt F. Schmittinger, Esq.
J. R. Julian, Esq.
Justices (8)
Debbie Collins
Margaret Naylor
Law Clerk
Notebook