

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SWISS FARM STORES)
ACQUISITION LLC,) No. 615, 2012
)
Plaintiff Below Appellant,) Court Below: Chancery Court
) of the State of Delaware
v.)
) C.A. No. 7401
REDEEMED PROPERTIES, LP.,)
JAMES P. KAHN and)
EDMOND D. COSTANTINI, JR.,)
)
Defendants Below Appellees.)

Submitted: May 22, 2013

Decided: May 23, 2013

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

ORDER

This 23rd day of May, 2013, the Court, having carefully considered the decision and judgment of the Chancery Court dated October 22, 2012 together with the briefs of the parties and their contentions in oral argument, has determined as follows:

To the extent that (a) the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; (b) the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions; (c) the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Court of Chancery is **AFFIRMED**.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice