

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KIMBERLY R. BRISTOW, O.D.,	§	
	§	No. 128, 2005
Plaintiff Below,	§	
Appellant,	§	
	§	
v.	§	Court Below:
	§	Court of Chancery of the
DELAWARE BOARD OF EXAMINERS	§	State of Delaware in and
IN OPTOMETRY,	§	for New Castle County
	§	C.A. No. 20241
Defendant Below,	§	
Appellee.	§	

Submitted: September 7, 2005

Decided: October 11, 2005

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

ORDER

This 11th day of October, the Court, having considered this matter on the briefs of the parties, concludes that: (i) the Court of Chancery acted within its discretion when it stayed this matter to allow consideration by the Board of Examiners in Optometry; and (ii) this appeal should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its opinion dated February 8, 2005.

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

AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice