

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILMINGTON SAVINGS FUND)
SOCIETY, FSB, a Federal) No. 304, 2005
savings bank organized and)
existing under the laws of the) Court Below: Superior Court
United States,) of the State of Delaware in
) and for Sussex County
Plaintiff Below,)
Appellant,) C.A. No. 03C-11-021
v.)
)
CHILIBILLY'S INC., and)
JOSEPH JEFFREY STEIN, III,)
CORP.,)
)
Defendants Below,)
Appellee.)

Submitted: November 7, 2005

Decided: November 14, 2005

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

ORDER

This 14th day of November, 2005, upon consideration of the briefs of the parties, and given our standard of review it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its Order dated June 10, 2005.

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

BY THE COURT:

/s/ Myron T. Steele
Chief Justice