

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HARALAMBOS HIONIS,	§	
	§	No. 316, 2005
Plaintiff Below,	§	
Appellant,	§	Court Below: Court of Chancery
	§	of the State of Delaware, in and for
v.	§	Sussex County
	§	
DONALD W. SHIPP, JR. and	§	C.A. No. 270
SUSAN S. SPENCER,	§	
	§	
Defendants Below,	§	
Appellees.	§	

Submitted: March 1, 2006

Decided: June 28, 2006

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

ORDER

This 28th day of June 2006, upon consideration of the briefs of the parties, the record in this case, and their contentions in oral argument, it appears to the Court that the judgment of the Court of Chancery granting summary judgment in favor of defendants, Donald W. Shipp, Jr. and Susan S. Spencer, and against the plaintiff, Haralambos Hionis, should be affirmed on the basis of and for the reasons set forth by the Court of Chancery in its well-reasoned decision dated June 16, 2005.*

* We reject the appellant's claim that the evidence was insufficient to support an award of summary judgment. The affidavit relied upon by the Court of Chancery contained uncontroverted material facts that support the Court of Chancery's ruling. Because there were no disputes of material fact, summary judgment was appropriate. DEL. CH. CT. R. 56(c).

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice