

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CITIZENS BANK,	§	
	§	No. 434, 2008
Plaintiff Below-	§	
Appellant,	§	Court Below: Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
NANCY L. BOCKRATH,	§	C.A. No. 07C-03-385
	§	
Defendant Below-	§	
Appellee.	§	

Submitted: November 26, 2008

Decided: January 22, 2009

Before **BERGER, JACOBS,** and **RIDGELY,** Justices.

***ORDER***

This 22<sup>nd</sup> day of January 2009, after careful consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated July 30, 2008. The Superior Court did not abuse its discretion in awarding attorneys' fees to defendant, Nancy L. Bockrath, under the bad faith exception to the American Rule.

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

BY THE COURT:

/s/ Henry duPont Ridgely

Justice