IN THE SUPREME COURT OF THE STATE OF DELAWARE

)
) No. 526, 2006
)
) Court Below: Superior Court
) of the State of Delaware in
) and for New Castle County
)
)
) C.A. No. 06A-01-005
)
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)

Submitted: March 21, 2007 Decided: March 28, 2007

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

ORDER

This 28th day of March, 2007, 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 September 6, 2006.

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

BY THE COURT:

<u>/s/ Myron T. Steele</u> Chief Justice