## IN THE SUPREME COURT OF THE STATE OF DELAWARE

§
§ No. 671, 2010
§ Court Below – Superior Court
§ of the State of Delaware,
§ in and for New Castle County
§ C.A. No. 10A-01-02
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Submitted: February 9, 2011 Decided: February 9, 2011

Before HOLLAND, JACOBS and RIDGELY, Justices.

## **ORDER**

This 9th day of February 2011, the Court having considered this matter on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned decision dated September 30, 2010.

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

BY THE COURT:

/s/ Randy J. Holland Justice