

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 14<sup>th</sup> 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