

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CONSTANCE GARY,

Plaintiff Below,
Appellant,

v.

R.C. FABRICATORS, INC.,

Defendant Below,
Appellee.

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No. 33, 2015

Court Below—Superior Court
of the State of Delaware,
in and for New Castle County,
C.A. No. 11C-12-208 FSS

Submitted: September 18, 2015

Decided: October 21, 2015

Before **STRINE**, Chief Justice; **HOLLAND**, and **VALIHURA**, Justices.

ORDER

This 21st day of October 2015, after careful consideration of the parties' briefs and the record on appeal, it appears to the Court that the judgment of the Superior Court granting the appellee's motion for summary judgment should be affirmed on the basis of and for the reasons assigned in the Superior Court's order dated December 1, 2014. The appellant does not make any arguments regarding the dismissal of Counts 3 through 11 in her amended complaint and has therefore waived consideration of the dismissal of those claims.¹ We also affirm the Superior Court's order, dated December 30, 2014, denying the appellant's motion for reargument.

¹ Supr. Ct. R. 14(b)(vi)(A)(3); *Murphy v. State*, 632 A.2d 1150, 1152 (Del. 1993).

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

BY THE COURT:

/s/ Randy J. Holland
Justice

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