

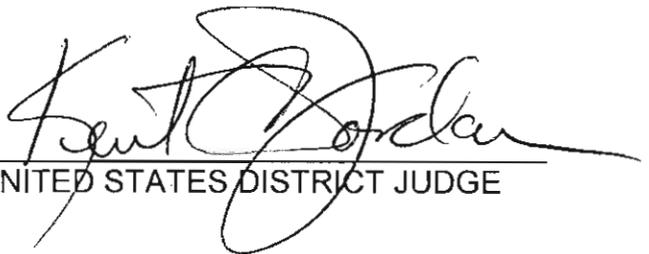
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN E. BROWN,)
)
Plaintiff,)
)
v.) Civil Action No. 02-1686-KAJ
)
JAMES KID and ANGEL MALABET,)
)
Defendants.)

MEMORANDUM ORDER

Before me is the Defendants' Motion to Dismiss State Law Claim under 11 Del. C. § 6531 and under Article 1, Sec. 11 of the Delaware Constitution (Docket Item ["D.I."] 153; the "Motion"). I have reviewed the Motion, as well as the Plaintiff's opposition thereto (D.I. 156) and the Defendants' reply (D.I. 157). The issue presented is exactly congruent with that addressed by the March 1, 2005 Memorandum Opinion in *Hamilton v. Leavy*, 2005 WL 475442 (D. Del.) and, for the reasons set forth in that Opinion, the Motion is granted.

Accordingly, it is hereby ORDERED that the Motion is GRANTED.


UNITED STATES DISTRICT JUDGE

October 17, 2005
Wilmington, Delaware