

IN THE SUPREME COURT OF THE STATE OF DELAWARE

POND’S EDGE ASSOCIATES, LLC,	§
	§ No. 270, 2012
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
C&C DRYWALL CONTRACTOR, INC.,	§ C.A. No. 11C-05-064
a Delaware corporation,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: June 5, 2012

Decided: June 19, 2012

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

ORDER

This 19th day of June 2012, it appears to the Court that:

(1) The defendant below, Pond’s Edge Associates, LLC, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court dated May 11, 2012. The Superior Court’s order denied Pond’s Edge’s motion for summary judgment on the ground that genuine issues of material fact exist on key issues in the case.

(2) Pond’s Edge filed its application for certification to take an interlocutory appeal in the Superior Court on May 18, 2012. The Superior Court denied the certification application on May 31, 2012.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, this Court has concluded that the application for interlocutory review does not meet the requirements of Supreme Court Rule 42(b) and should be refused.

NOW, THEREFORE, IT IS HEREBY ORDERED that the within interlocutory appeal be REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice