

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SIGNAL ONE, LLC, BA CAPITAL	§	
COMPANY, L.P., a successor-in-interest	§	
to NATIONSBANC CAPITAL	§	No. 445, 2000
CORPORATION, TODD A.	§	
BINKOWSKI, and GEORGE G.	§	
MORGAN, III,	§	
	§	
Defendants Below-	§	
Appellants,	§	Court Below: Court of Chancery
	§	of the State of Delaware,
v.	§	in and for New Castle County
	§	C.A. No. 18011-NC
SIGNAL CAPITAL CORPORATION and	§	
G. LARRY WELLS,	§	
	§	
Plaintiffs Below-	§	
Appellees.	§	

Submitted: September 8, 2000
Decided: October 2, 2000

Before **HOLLAND**, **BERGER**, and **STEELE**, Justices.

ORDER

This 2nd day of October 2000, it appears to the Court that:

(1) The defendants below (collectively, "Signal One") have petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Court of Chancery dated August 8, 2000. The Court of Chancery's ruling denied Signal One's Motion to Dismiss or, in the Alternative, to Compel Arbitration and for a Stay in Favor of Mandatory Arbitration.

(2) On August 29, 2000, the Court of Chancery refused to certify an interlocutory appeal to this Court.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in extraordinary cases.

(4) 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 is REFUSED.

BY THE COURT:

/s/ Carolyn Berger
Justice