

SUPERIOR COURT
OF THE
STATE OF DELAWARE

M. JANE BRADY
JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 NORTH KING STREET, SUITE 10400
WILMINGTON, DELAWARE 19801-3733
TELEPHONE: (302) 255-0661

May 22, 2008

Stephen F. Dryden, Esquire
Robinson, Grayson, Dryden & Ward, P.A.
910 Foulk Road, Suite 200
Wilmington, DE 19803

Christopher J. Curtin, Esquire
MacElree Harvey Ltd.
5721 Kennett Pike
Centreville, DE 19807

Louis J. Rizzo, Jr., Esquire
Reger, Rizzo, Kavulich & Darnall, LLP
1001 Jefferson Plaza, Suite 202
Wilmington, DE 19801

Colin M. Shalk, Esquire
Casarino, Christman & Shalk, P.A.
800 N. King St., Suite 200
P.O. Box 1276
Wilmington, DE 19899

**Re: Catherine G. O'Neill and Vincent G. O'Neill v. Lenape Builders et al.
Civil Action No. 06C-09-039 MJB**

Counsel:

On February 21, 2008 the Court heard argument on a Motion *in Limine* filed by co-defendant Sartin's Paving. The motion challenged the admissibility of a specific expert's qualifications to render an expert opinion in the above-captioned matter. During the course of the hearing, defendants requested plaintiffs to produce a supplemental expert witness report. The Court deferred decision on the Motion to provide plaintiffs with sufficient time to produce the report. While the plaintiffs have provided additional information to the defendants, the parties were to inform the Court within 30 days if a ruling on the motion was still required. As of the above date, the parties have not contacted the Court to request a ruling on the motion. Accordingly, the motion is hereby **DISMISSED**.

Very truly yours,

M. Jane Brady
Judge

MJB/jf
Original to Prothonotary