

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DELOITTE LLP, DELOITTE TAX	§
LLP and DELOITTE & TOUCHE	§ No. 569, 2010
LLP, each a Delaware Limited	§
Liability Partnership,	§
	§ Court Below-Court of Chancery
Defendants Below-	§ of the State of Delaware
Appellants,	§ C.A. No. 4993
	§
v.	§
	§
STEVEN E. KLIG,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: September 23, 2010

Decided: September 27, 2010

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

ORDER

This 27th day of September 2010, it appears to the Court that:

(1) The defendants-appellants, Deloitte LLP, Deloitte Tax LLP and Deloitte & Touche LLP (“Deloitte”), have petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from the August 6, 2010 interlocutory order of the Court of Chancery, which ordered Deloitte to produce documents on its privilege log. Deloitte also has requested a stay pending appeal of the Court of Chancery’s interlocutory ruling.

(2) Deloitte filed its application for certification to take an interlocutory appeal in the Court of Chancery on August 16, 2010. On that same date, Deloitte also filed a motion in the Court of Chancery for a stay of the interlocutory ruling. On September 7, 2010, the Court of Chancery denied the application for certification on the ground that the requirements of Rule 42 had not been met. The Court of Chancery extended its temporary stay, which was ordered on August 17, 2010, for an additional 20 calendar days.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, the Court has concluded that Deloitte's application for interlocutory review fails to meet the requirements of Rule 42 and, therefore, should be refused. Deloitte's motion for a stay pending appeal is, therefore, moot.

NOW, THEREFORE, IT IS ORDERED that the interlocutory appeal is REFUSED. The motion for a stay is DENIED as moot.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice