

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES M. CROWHORN, on behalf	§
of himself and all others similarly	§
situated,	§ No. 450, 2002
	§
Plaintiff Below-	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§ C.A. No. 00C-06-010
NATIONWIDE MUTUAL	§
INSURANCE COMPANY,	§
	§
Defendant Below-	§
Appellee.	§

Submitted: August 5, 2002
Decided: August 14, 2002

Before **VEASEY**, Chief Justice, **WALSH**, and **HOLLAND**, Justices.

ORDER

This 14th day of August 2002, it appears to the Court that:

(1) The plaintiff below, James Crowhorn, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory order of the Superior Court dated July 10, 2002. The Superior Court's ruling granted in part, denied in part, and reserved decision in part on twelve separate motions for protective orders filed by the defendant below, Nationwide Mutual Insurance Company.

(2) The Superior Court has not yet acted upon the plaintiff's application to certify an interlocutory appeal to this Court. Nonetheless, this Court has reviewed the plaintiff's notice of interlocutory appeal and has determined, in the Court's discretion, that the plaintiff's application fails to meet the requirements for certification under Rule 42.

(3) In general, a trial court's discovery rulings are not appealable under Rule 42, absent extraordinary circumstances.* Extraordinary circumstances do not exist in this case.

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

BY THE COURT:

s/Joseph T. Walsh
Justice

* *Pepsico, Inc. v. Pepsi-Cola Bottling Co.*, 261 A.2d 520, 520-21 (Del. 1969).