

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TOTAL CARE PHYSICIANS, P.A.,	§
and TOTAL CARE PHYSICIANS	§
GLASGOW, P.A.,	§ No. 380, 2003
	§
Plaintiffs Below-	§ Court Below—Superior Court
Appellants,	§ of the State of Delaware,
	§ in and for New Castle County
v.	§ C.A. No. 99C-11-201
	§
KEVIN W. O’HARA, M.D.,	§
	§
Defendant Below-	§
Appellee.	§

Submitted: August 1, 2003

Decided: August 18, 2003

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

***ORDER***

This 18<sup>th</sup> day of August 2003, it appears to the Court that:

(1) The plaintiffs below, Total Care Physicians, P.A., and Total Care Physicians Glasgow, P.A. (collectively TCP), have petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from interlocutory rulings of the Superior Court entered July 10, 2003. The Superior Court’s rulings denied TCP’s motion for reargument following the first stage of a bifurcated trial and made certain pretrial rulings with respect to damages.

(2) On July 23, 2003, the Superior Court denied TCP’s application 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/ Myron T. Steele  
Justice