

Before **VALIHURA, VAUGHN**, and **SEITZ**, Justices.

ORDER

This 3rd day of May 2018, upon consideration of defendant's-appellant's appeal from interlocutory order, it appears to the Court that:

The defendants-appellants seek interlocutory review of the Court of Chancery's opinion of March 28, 2018, denying their motion to dismiss the plaintiffs-appellees' second amended verified class action and derivative complaint under Court of Chancery Rule 12(b)(6).¹ The Court of Chancery refused the application for certification in a detailed order dated April 27, 2018, explaining why interlocutory review was not warranted under the principles and criteria of Supreme Court Rule 42(b). Interlocutory review is addressed to the sound discretion of the Court.² In the exercise of our discretion, we conclude that the application for interlocutory review does not meet the strict standards for certification under Rule 42(b).

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

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice

¹ *In re Tesla Motors, Inc. S'holder Litig.*, 2018 WL 1560293 (Del. Ch. Mar. 28, 2018).

² Del. Supr. Ct. R. 42(d)(v).