

IN THE SUPREME COURT OF THE STATE OF DELAWARE

INTERNATIONAL FIDELITY  
INSURANCE COMPANY,

Plaintiff Below-  
Appellant,

v.

DELAWARE TECHNICAL &  
COMMUNITY COLLEGE,

Defendant Below-  
Appellee.

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§ No. 269, 2001  
§  
§ Court Below—Superior Court  
§ of the State of Delaware,  
§ in and for New Castle County  
§ C.A. No. 99C-10-065  
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Submitted: June 8, 2001  
Decided: June 26, 2001

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

**ORDER**

This        day of June 2001, it appears to the Court that:

(1)    The plaintiff below, International Fidelity Insurance Company (IFIC), has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Superior Court dated May 9, 2001. The Superior Court's ruling denied IFIC's motion to dismiss Count III of the appellee's counterclaim, which asserted a claim of bad faith.

(2)    On June 5, 2001, the Superior Court granted IFIC'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/ Carolyn Berger  
Justice