

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRANDYWINE RIVER	§
BALLROOM, LLC, and CLARA A.	§ No. 348, 2012
SMALLS,	§
	§
Defendants Below-	§ Court Below—Superior Court
Appellants,	§ of the State of Delaware
	§ in and for New Castle County
v.	§ C.A. No. N11C-06-088
	§
CHERYL WATSON,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: June 26, 2012

Decided: July 11, 2012

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices

**ORDER**

This 11<sup>th</sup> day of July 2012, it appears to the Court that:

(1) The defendant-appellant, Brandywine River Ballroom, LLC (the “appellant”), has petitioned this Court pursuant to Supreme Court Rule 42, to accept an appeal from the interlocutory order of the Superior Court dated May 29, 2012, which denied its motion to vacate default judgment, and the interlocutory order of the Superior Court dated June 21, 2012, which denied its motion for reargument.<sup>1</sup>

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<sup>1</sup> Defendant Clara A. Smalls is not a participant in this appeal.

(2) The appellant filed its application for certification to take an interlocutory appeal in the Superior Court on June 7, 2012. On June 20, 2012, the Superior Court granted the application for certification on the ground that the requirements of Supreme Court Rule 42 had been met.

(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 the appellant's application for interlocutory review fails to meet the requirements of Rule 42 and, therefore, should be refused.

NOW, THEREFORE, IT IS ORDERED that the interlocutory appeal is REFUSED.<sup>2</sup>

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice

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<sup>2</sup> The appellant's request for a stay pending appeal is hereby denied as moot.