

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CENTENNIAL BEAUREGARD	§
CELLULAR LLC,	§
	§ No. 4, 2004
Defendant Below-	§
Appellant,	§
	§ Court Below—Court of Chancery
v.	§ of the State of Delaware,
	§ in and for New Castle County
RICHARD ERICKSON and	§ C.A. No. 19974
ARNOLD C. LEONG,	§
	§
Plaintiffs Below-	§
Appellees.	§

Submitted: January 5, 2004

Decided: January 23, 2004

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

ORDER

This 23rd day of January 2004, it appears to the Court that:

(1) The defendant below, Centennial Beauregard Cellular LLC, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory order of the Court of Chancery dated December 8, 2003. The Court of Chancery's order certified the action below as a class action pursuant to Court of Chancery Rule 23(b)(1).

(2) On December 31, 2003, the Court of Chancery denied Centennial'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