

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DEBORAH ERHART and	§	
DOUGLAS ERHART,	§	No. 487, 2012
	§	
Plaintiffs Below,	§	Court Below– Superior Court
Appellants,	§	of the State of Delaware, in and
	§	for New Castle County
v.	§	
	§	C.A. No. N10C-09-019
DIRECTV, INC., a Corporation of	§	
the State of California, and LUXE	§	
COMMUNICATIONS, LLC, a	§	
Corporation of the State of Delaware,	§	
and EDDIE MENA, Individually and	§	
as a representative of Luxe	§	
Communications, LLC,	§	
	§	
Defendants Below,	§	
Appellees.	§	

Submitted: September 4, 2012
Decided: September 19, 2012

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

ORDER

This 19th day of September 2012, it appears to the Court that:

(1) In September 2010, the plaintiffs-appellants, Deborah Erhart and Douglas Erhart (hereinafter “the Erharts”), filed a seven-count complaint seeking damages and statutory remedies arising out of the installation of satellite cable television equipment in their home. In April 2012, the defendants-appellees, DirecTV, Inc., Luxe Communications, Inc., and Eddie Mena, filed six motions *in*

limine. By opinion dated June 20, 2012, the Superior Court granted the motions *in limine*, and by order dated August 7, 2012 the court denied the Erharts' motions to reargue the opinion. By granting the motions *in limine*, the Superior Court effectively excluded six of the Erharts' seven claims.

(2) Pursuant to Supreme Court Rule 42 ("Rule 42"), the Erharts have petitioned this Court to accept an interlocutory appeal from the Superior Court's August 7, 2012 order on reargument from the June 20, 2012 opinion. By order dated August 30, 2012, the Superior Court denied the Erharts' application for certification of an interlocutory appeal.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances. The Court has examined the August 7, 2012 order and June 20, 2012 opinion according to the criteria set forth in Rule 42 and has concluded that exceptional circumstances warranting interlocutory review do not exist in this case.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice