

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THE RESERVES DEVELOPMENT	§
CORPORATION and ABRAHAM PAUL	§
KOROTKI,	§ No. 532, 2011
	§
Defendants Below-	§
Appellants,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
US ACQUISITION PROPERTY XIV,	§ in and for Sussex County
LLC,	§ C.A. No. 10C-06-034
	§
Plaintiff Below-	§
Appellee.	§
	§

Submitted: October 28, 2011
Decided: November 3, 2011

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

ORDER

This 3rd day of November 2011, it appears to the Court that:

(1) The defendants-appellants, The Reserves Development Corporation and Abraham Paul Korotki, have petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory, oral ruling of the Superior Court entered on September 2, 2011. The trial court's ruling, among other things, denied the defendants' motion to amend their answer to the complaint.

(2) The defendants filed their application for certification to take an interlocutory appeal in the Superior Court on October 3, 2011. The Superior Court denied the certification application on October 19, 2011.

(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 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