

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE: ASBESTOS LITIGATION	§ No. 283, 2006
	§
MASTER ASBESTOS FILE	§ C.A. No. 77C-ASB-2
SCOTT ARTERBRIDGE	§ C.A. No. 03C-05-031
HOWARD BREWSTER	§ C.A. No. 99C-02-277
CHARLES CAMPBELL	§ C.A. No. 01C-12-136
THOMAS FARRALL	§ C.A. No. 98C-06-324
MICHAEL IOANNOU	§ C.A. No. 01C-06-077
JOSEPH KOSSEK	§ C.A. No. 03C-10-278
PAULINE LARGIN	§ C.A. No. 04C-01-153
RAYMOND SAGANICH	§ C.A. No. 03C-11-102
JOSEPH SHAFFER	§ C.A. No. 05C-03-234
EDWARD SMACK	§ C.A. No. 04C-03-053
EVELYN SMITH	§ C.A. No. 04C-10-117
FRANCIS STRAB	§ C.A. No. 04C-06-256
WAYNE TISDEL	§ C.A. No. 04C-03-255
LESTER WARD	§ C.A. No. 04C-07-287
CARL WILKERSON	§ C.A. No. 04C-08-268

Submitted: June 8, 2006

Decided: June 13, 2006

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

ORDER

This 13th day of June 2006, it appears to the Court that:

(1) The defendant-appellant, DaimlerChrysler Corporation (“Chrysler”), has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Superior Court’s interlocutory ruling on May 9, 2006 (revised and corrected on June 6, 2006), which denied Chrysler’s motion in

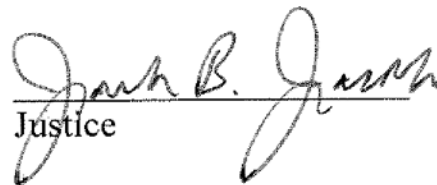
limine to exclude the trial testimony of certain of plaintiffs-appellees' causation experts.

(2) On June 7, 2006, the Superior Court refused to certify an interlocutory appeal to this Court pursuant to Rule 42 on the grounds that its decision to permit the plaintiffs-appellees' causation experts to testify did not determine a substantial issue or establish a legal right.¹

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.² We have examined the Superior Court's May 9, 2006 decision according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that exceptional circumstances meriting interlocutory review of the decision of the Superior Court do not exist in this case.

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

BY THE COURT:


Justice

¹ Supr. Ct. R. 42(b).

² Id.