

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SUMMIT STEEL, INC.,	§
	§
Third Party Defendant Below-	§ No. 715, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
EDIS COMPANY, EDIS BUILDING	§ C.A. No. 01C-09-183
SYSTEMS, INC., ERNEST	§
DISABATINO AND SONS, INC.,	§
CONSTRUCTION SAFETY	§
CONSULTANTS, INC., ATLAS	§
LAB ASSOCIATES, ATLAS	§
POINT, LLC, and CRYSTAL	§
HOLDINGS, INC.,	§
	§
Defendants/Third Party	§
Plaintiffs Below-	§
Appellees.	§

Submitted: January 24, 2003
Decided: February 27, 2003

Before **VEASEY**, Chief Justice, **WALSH**, and **STEELE**, Justices.

ORDER

This 27th day of February 2003, it appears to the Court that:

(1) The third-party defendant below, Summit Steel, Inc., has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Superior Court entered November 25, 2002. The Superior Court's ruling denied Summit's second motion for summary judgment.

(2) On January 15, 2003, the Superior Court denied Summit'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/ E. Norman Veasey
Chief Justice