

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GRADIENT PARTNERS, L.P.; §
GRADIENT OC MASTER, LTD.; § No. 349, 2007
CASPIAN CAPITAL ADVISORS, §
LLC; RIVER VAIL HOLDINGS, §
L.L.C.; LATIGO MASTER FUND, § Court Below-Court of Chancery
LTD.; PAR-FOUR MASTER § of the State of Delaware
FUND, LTD.; and SOUTHPAW § in and for New Castle County
CREDIT OPPORTUNITY § No. 3021
MASTER FUND LP, individually §
and derivatively, §

Plaintiffs Below-Appellants, §

v. §

NBC UNIVERSAL, INC., a §
Delaware Corporation; CITADEL §
INVESTMENT GROUP, LLC, a §
Delaware Limited Liability §
Corporation; CIG MEDIA, LLC, a §
Delaware Limited Liability §
Corporation; W. LAWRENCE §
PATRICK; R. BRANDON §
BURGESS; HENRY J. BRANDON; §
RAYMOND S. RAJEWSKI; §
WILLIAM A. ROSKIN; LUCILLE §
S. SALHANY; and FREDERICK §
M.R. SMITH, §

Defendants Below-Appellees, §

and §

ION MEDIA NETWORKS, INC., a §
Delaware Corporation, §

Defendant and Nominal §
Defendant Below-Appellee. §

Submitted: July 20, 2007
Decided: July 20, 2007

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices

ORDER

This 20th day of July 2007, it appears to the Court that:

(1) The plaintiffs-appellants, Gradient Partners, L.P., et al. (“Appellants”), have petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Court of Chancery’s interlocutory ruling on July 12, 2007, which denied the Appellants’ motion for preliminary injunction.

(2) On July 20, 2007, the Court of Chancery certified the interlocutory appeal to this Court on the grounds that its July 12, 2007 ruling determines a substantial issue, establishes a legal right and satisfies at least one of the additional criteria enumerated in Rule 42(b).

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.¹ We have examined the Court of Chancery’s July 12, 2007 decision according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that such exceptional circumstances as

¹ Supr. Ct. R. 42(b).

would merit interlocutory review of the Court of Chancery's decision do not exist in this case.

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

BY THE COURT:

/s/ Randy J. Holland
Justice