

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RSUI INDEMNITY COMPANY,	§
	§ No. 646, 2014
Plaintiff Below-	§
Appellant,	§
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware,
SEMPRIS, LLC d/b/a BUDGET	§ in and for New Castle County
SAVERS,	§ C.A. No. N13C-10-096
	§
Defendant Below-	§
Appellee.	§

Submitted: December 5, 2014

Decided: January 6, 2015

Before **STRINE**, Chief Justice, **HOLLAND**, and **VAUGHN**, Justices.

ORDER

This 6th day of January 2015, it appears to the Court that:

(1) The plaintiff-appellant, RSUI Indemnity Company (“RSUI”), has petitioned this Court, under Supreme Court Rule 42, to accept an appeal from an interlocutory opinion issued by the Superior Court on September 3, 2014 (“the Opinion”). The Opinion denied RSUI’s motion for summary judgment and granted partial summary judgment to the defendant-appellee, Sempris, LLC (“Sempris”), holding that RSUI has a duty to defend Sempris in an Illinois lawsuit under the terms of an insurance policy issued by RSUI to Sempris. RSUI also

seeks to appeal the Superior Court's order denying its motion for reargument of the Opinion.

(2) Applications for interlocutory review are addressed to the sound discretion of this Court under Rule 42(d)(v). In the exercise of our discretion, we have examined the Opinion according to the criteria set forth in Rule 42, and we have concluded that RSUI's application for interlocutory review does not meet the requirements of Rule 42 and should be refused.

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

BY THE COURT:

/s/ *Leo E. Strine, Jr.*

Chief Justice