IN THE SUPREME COURT OF THE STATE OF DELAWARE

| ARIE GENGER, | § |
|----------------------------------|---------------------------------|
| | § |
| Defendant Below, | § No. 532, 2012 |
| Appellant, | § |
| | § |
| V. | § |
| | § |
| TR INVESTORS, LLC, GLENCLOVA | § Court Below—Court of Chancery |
| INVESTMENT CO., NEW TR | § of the State of Delaware, |
| EQUITY I, LLC, NEW TR EQUITY II. | § |
| LLC, and TRANS-RESOURCES, INC., | § C.A. No. 6697 |
| | § |
| Plaintiffs Below, | § |
| Appellees. | § |

Submitted: October 5, 2012 Decided: October 12, 2012

Before BERGER, JACOBS, and RIDGELY, Justices.

ORDER

This 12th day of October 2012, it appears to the Court that:

- (1) The defendant-appellant, Arie Genger, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Court of Chancery, dated September 10, 2012, denying Genger's renewed motion to dismiss.
- (2) Genger filed his application for certification to take an interlocutory appeal in the Court of Chancery on September 20, 2012. The Court of Chancery denied the certification application on October 5, 2012.

(3) Applications for interlocutory review are addressed to the sound

discretion of this Court. 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/ Jack B. Jacobs

Justice

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