

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NISTAZOS HOLDINGS, LLC,	§	
	§	No. 481, 2016
Plaintiff Below,	§	
Appellant,	§	Court Below—Court of Chancery of
	§	the State of Delaware
v.	§	
	§	C.A. No. 11859
MILFORD PLAZA ENTERPRISES,	§	
LLC,	§	
	§	
Defendant Below,	§	
Appellee.	§	

Submitted: September 26, 2016

Decided: September 29, 2016

Before **VALIHURA, VAUGHN** and **SEITZ**, Justices.

ORDER

This 29th day of September 2016, it appears to the Court that:

(1) We have before us an application for interlocutory review of a Court of Chancery August 31, 2016 teleconference ruling denying preliminary injunctive relief in a case involving a commercial lease agreement. In a detailed order dated September 26, 2016, the Court of Chancery carefully considered the relevant factors of Supreme Court Rule 42(b) and explained why interlocutory review of its August 31 decision was not warranted.

(2) This Court gives considerable weight to a trial judge's thoughtful consideration of the Rule 42(b) factors. For the reasons stated in the Court of

Chancery's well-reasoned order of September 26, 2016, the Court determines in its discretion that the application for interlocutory review does not meet the requirements of Rule 42(b) and should be refused.

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

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice