

78

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

MESA PETROLEUM CO., a )  
Delaware corporation, MESA )  
ASSET CO., a Delaware )  
corporation, MESA EASTERN, )  
INC., a Delaware corporation, )  
and MESA PARTNERS II, a )  
Texas partnership, )  
Plaintiffs, )

v. )

Civil Action No. 7997

UNOCAL CORPORATION, )  
a Delaware corporation, )  
WILLIAM F. BALLHAUS, CLAUDE )  
S. BRINEGAR, RAY A. BURKE, )  
ROBERT D. CAMPBELL, WILLIAM H. )  
DOHENY, RICHARD K. EAMER, )  
FRED L. HARTLEY, T. C. )  
HENDERSON, DONALD P. JACOBS, )  
WILLIAM S. MCCONNOR, PETER )  
O'MALLEY, RICHARD J. STEGMEIER )  
and DONN B. TATUM, )  
Defendants. )

FILED  
1 23 09 '95  
JOHN D. KELLY III  
CHANCERY

O R D E R

Defendant, Unocal Corporation ("Unocal"), having applied for certification of an interlocutory appeal from this Court's Opinion and Order of April 29, 1985 granting plaintiffs' application for a temporary restraining order; and the Court, having considered the parties' memoranda and arguments;

IT IS HEREBY ORDERED that Unocal's application for certification of an interlocutory appeal is denied. The Court concludes that certification is not appropriate under Supreme Court Rule 42 because, even if this Court's decision may be said to have determined a substantial issue and established a legal right within the meaning of Rule 42, the decision does not decide a legal issue of first impression or one on which the decisions of the trial court are in conflict. Nor does it otherwise satisfy the requirements of Rule 42 and, given the fact that a preliminary injunction hearing is scheduled on May 8, 1985, it does not appear that an interlocutory appeal is necessary in order to serve considerations of justice.

  
Vice Chancellor

Dated: May 1, 1985