

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: DSBI Inc. Et al

Wavetronix LLC,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 12-1217-GMS
	:	
James R. Zazzali, et al.,	:	Bankruptcy Case No. 08-12687
	:	Adv. Pro. No. 10-55963
Appellees.	:	BAP 12-47

RECOMMENDATION

At Wilmington this **9th** day of **October, 2012**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, a teleconference was held on October 9, 2012 for an initial review and discussion with counsel to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage does not appear to be a productive exercise, a worthwhile use of judicial resources or warranting the expense of the process.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter along with the companion matters 12-1215 and 12-1216 be withdrawn from the mandatory referral for mediation and proceed through

the appellate process of this Court.

Local counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE