## IN THE UNITED STATES DISTRICT COURT <br> FOR THE DISTRICT OF DELAWARE

IN RE: HomeBanc Mortgage Corporation et al.


## RECOMMENDATION

At Wilmington this $\mathbf{2 8}^{\text {th }}$ day of June, 2013.
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, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. Previous attempts at mediation have been unsuccessful.

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this District and 28 U.S.C. $\S 636(\mathrm{~b})$, this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties are advised of their right to file objections filed to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(a) and D. Del. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.
/s/ Mary Pat Thynge
UNITED STATES MAGISTRATE JUDGE

