IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

IN RE:

ENERGY FUTURE HOLDINGS CORP., :

et al.,

Bankruptcy Case No. 14-10979 (CSS)

Debtor.

CSC TRUST COMPANY OF DELAWARE,

Appellant,

٧.

C. A. No. 14-723-RGA

ENERGY FUTURE HOLDING CORP., et al.,

Appellee.

RECOMMENDATION

At Wilmington this 14th day of August, 2014.

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 in writing from counsel and a teleconference on August 8, 2014, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant 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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. Counsel advised there would be no objections pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 to the Recommendation to remove this matter from mandatory mediation.

IT IS FURTHER RECOMMENDED at the request of the parties that the following briefing schedule be ordered on PIMCO's Motion to Intervene, CSC's appeal and motion to dismiss appeal, if filed:

August 25, 2014	Opposition brief due to PIMCO's Intervention Motion
September 1, 2014	Reply brief due from PIMCO on Intervention Motion
September 23, 2014	CSC Opening brief due in support of its appeal with 50
	page limit requested
October 3, 2014	Opening brief due on dismissal of appeal, if filed, with
	20 page limit requested.
October 21, 2014	Opposition briefs due of EFIH and PIMCO, if permitted
	to intervene, on CSC appeal, with a 50 page limit for
	each brief requested.
	Opposition due to motion to dismiss appeal with a 20
	page limit requested.
November 7, 2014	CSC reply brief due in support of its appeal, with the
	following page limit requested: a 25 page limit plus half
	the number of pages filed by PIMCO in its opposition

brief.

Reply brief in support of motion to dismiss with a 10 page limit requested.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thynge
UNITED STATES MAGISTRATE JUDGE