

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

In re: New Century TRS Holdings Inc., et al.

Kimberly Cromwell,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 14-822-SLR
	:	Bankruptcy Case No. 07-10416 (BLS)
New Century Liquidating Trust,	:	AP No. 14-26
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this **19th** 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, a teleconference was held on August 19, 2014 for an initial review and discussion 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. Neither party desires to proceed with mediation.

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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties have advised there will be no 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 Thyng
UNITED STATES MAGISTRATE JUDGE