

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

In re: ZCO Liquidating Corporation

Leo Jegen, Vincent M. Monnier,	:	
Shih Leng Tan, Len C. Villacres,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 14-1448-RGA
	:	Bankruptcy Case No. 13-13126 (PJW)
ZCO Liquidating Corporation (f/k/a	:	BAP No. 14-42
Technology Group Inc.), et al.,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **24th** day of **December, 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 mediation report was provided by the parties and a teleconference was held on December 23, 2014 for 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 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this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties were advised of their right to file objections 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.

IT IS FURTHER RECOMMENDED consistent with the parties' agreement, that should the matter be withdrawn from mandatory mediation, the court adopt the following brief schedule:

Appellants' Opening Brief	December 31, 2014
Appellee Brief	January 30, 2015
Appellants' Reply Brief	February 9, 2015

In light of the timing of the proposed briefing schedule, the parties were directed to proceed with that schedule.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE