

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

In re: AE Liquidation, Inc., et al.

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2015 APR 29 PM 3:08

ANNETTE VARELA and JOHN J. DIMURA, :
 :
Appellants, :
 :
v. : C. A. No. 14-1492
 : Bankruptcy Case No. 08-13031 (MFW)
GEOFFREY L. BURTCH, : Bankruptcy Adv No. 09-50265 (MFW)
 : AP No. 14-43
Appellee. :

RECOMMENDATION

At Wilmington this **29th** day of **April, 2015**.

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, this matter was referred for mediation to the Honorable Sherry R. Fallon.

WHEREAS, mediation occurred on April 27, 2015 with a follow up teleconference on April 29, 2015.

WHEREAS, no resolution of this matter occurred and further 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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory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. No objections will be 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