

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

In re:	:	
SS Body Armor I, Inc., et al.,	:	Bankr. Case No. 10-11255-CSS
	:	
Debtors.	:	
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DAVID H. BROOKS,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 15-632-SLR
	:	
SS BODY ARMOR I, INC., et al.,	:	
	:	
Appellees.	:	

**ORDER**

At Wilmington this 17<sup>th</sup> day of **September, 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, the court conducted an initial review, which included information from counsel through a joint letter dated September 16, 2015, to determine the appropriateness of mediation in this matter;

On September 15, 2015, this court entered an order directing the appeal be stayed pending the Bankruptcy Court ruling on confirmation of the plan in the Debtor’s chapter 11 cases. Presently a confirmation hearing in the Bankruptcy Court is scheduled for November 9-10, 2015. In their unilateral submission, Appellees request that the matter be removed from mandatory mediation until the stay is lifted and reserves their rights to submit a further statement as to whether mediation is

appropriate and or a substantive mediation statement in this matter at the appropriate time.<sup>1</sup>

THEREFORE, IT IS ORDERED that, in light of the stay issued by this Court, mandatory mediation is stayed. Once the stay is lifted, the parties shall file within twenty-one (21) days thereafter, an updated joint submission, if possible depending on Appellant's circumstances, or separate submissions regarding their positions on the appropriateness of mediation, including an explanation for their positions. A copy of this Order shall be mailed to Appellant at his present address listed on the docket.

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

/s/ Mary Pat Thyng  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Although the parties were to submit a joint submission regarding their respective positions on mediation, the Appellant is presently incarcerated and is no longer represented by counsel in this appeal. D.I. 10.