In re: James R. Johnson et al Doc. 6

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

JAMES R. JOHNSON,

Appellant,

v. : C. A. No. 15-792-GMS

Bankruptcy Case No. 15-10365 (BLS)

UNITED STATES TRUSTEE, : BAP No. 15-46

Appellee.

RECOMMENDATION ORDER

At Wilmington this 2nd day of October, 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, a teleconference was held on October 2, 2015 for an initial review

and discussion with appellant and 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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory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.

IT IS FURTHER RECOMMENDED that the parties be directed to provide a proposed scheduling order for briefing.

The parties have advised there will be no objections filed to this Recommendation Order 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 Thynge
UNITED STATES MAGISTRATE JUDGE