

expense of the process.

In light of the issues involved on appeal, the parties jointly request that this matter be removed from mandatory 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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court.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 are 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. In light of the parties' joint request, no objections are expected.

The parties further request that the following briefing schedule be entered:

Appellants' Opening Brief	60 days after entry of a Scheduling Order by this Court
Appellees' Brief	60 days after Appellants' Opening Brief
Appellants' Reply Brief	30 days after Appellees' brief deadline.

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

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE