

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

In re:	:	Bankruptcy Case No. 16-11844 (KG)
	:	
LAST CALL GUARANTOR, LLC, et al.,	:	BAP No. 16-48
	:	
Debtors.	:	
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DW VALUE MASTER FUND, LTD.,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 16-922-SLR
	:	
LAST CALL GUARANTOR LLC and FUN	:	
EATS AND DRINKS LLC,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **4th** day of **April, 2017**.

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, mediation occurred on March 7, 2017

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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral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. The parties have advised there will be no objections 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
Chief U.S. Magistrate Judge