

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: Samson Resources Corporation,
et al.

Debtors.

LLOYD NESS and MARY NESS,

Appellants,

v.

C. A. No. 16-1156-RGA
Bankruptcy Case No. 15-11934 (CSS)
BAP No. 16-100

SAMSON RESOURCES CORPORATION,

Appellee.

RECOMMENDATION

At Wilmington this 24th day of January, 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, a teleconference were held on January 23, 2017 for an initial review and discussion with appellant and counsel for appellee to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, 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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court.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 were 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. It does not appear that any objections will be filed. If any objections are filed, they shall be done within **five (5) days** of this Recommendation and are limited to **two (2) pages**. The objections may be done in letter format and captioned and docketed as “Objections to the Recommendation dated [date].” Any response shall be due within **five (5) days** of the objections and are limited to **two (2) pages**. The response may be in letter format and captioned and docketed as “Response to the Objections to the Recommendation dated [date].”

The parties further request a conference with the Court to discuss the issues that will be addressed on appeal prior to the entry of any briefing Order.

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

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng