

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

IN RE:	Chapter 11
QUICK SILVER RESOURCES LLC, et al.,	Case No. 15-10585 (LSS)
Debtors.	Jointly Administered
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KENNETH STEWART,	
	Appellant,
v.	C. A. No. 17-1152-GMS
QUICK SILVER RESOURCES LLC, et al.,	
	Appellees.

**RECOMMENDATION**

At Wilmington this **26th** day of **October, 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 was held on October 19, 2017 for an initial review and discussion to determine the appropriateness of mediation in this matter;

WHEREAS, Appellant failed to participate in the teleconference despite that the Order for the teleconference was docketed on September 12, 2017 and a copy of the Order was mailed to Appellant on the same date.

WHEREAS, Counsel for Appellees participated in the teleconference and advised that they emailed Appellant the dial in number on September 19, and October 17,

2017.

WHEREAS, on September 15, 2017, Appellant docketed his brief, indicating his intent to pursue his appeal.

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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties are advised of their right to file 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 Mary Pat Thyng