

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

In re:	:	
	:	Chapter 11
THE WEINSTEIN COMPANY HOLDINGS	:	Bankruptcy Case No, 18-10601 (MFW)
LLC, et al.,	:	
	:	
Debtors.	:	
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	:	
WEDIL DAVID, DOMINIQUE HUETT,	:	
ALEXANDRA CANOSA and AIMEE	:	
MCBAIN,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 21-171-MN
	:	
THE WEINSTEIN COMPANY HOLDINGS	:	
LLC, et al. and the OFFICIAL	:	
COMMITTEE OF UNSECURED	:	
CREDITORS,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this 1st day of **March, 2021**.

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, the court conducted an initial review, which included information from 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.

Although one party has some interest in mediation, the other does not believe that mediation would lead to a consensual resolution of this matter.

As a result, the parties, without waiving any rights or arguments, requested this appeal be removed from mandatory mediation. They further propose the following briefing schedule be entered:

Appellants' Opening Brief	April 12, 2021
Appellees' Response	May 26, 2021
Appellants' Reply	June 25, 2021

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Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections are anticipated 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