

Date Signed:  
March 31, 2015



SO ORDERED.

Robert J. Faris  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF HAWAII**

In re:

JOSEPH DULLAS SUMBILLO,

Debtor.

DANE S. FIELD and LUCIA MALIT  
SUMBILLO,

Plaintiffs,

vs.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY,

Defendant.

Case No. 11-01915  
Chapter 7

Adversary Proceeding No. 14-90052

**RECOMMENDATION TO DISTRICT COURT TO  
WITHDRAW REFERENCE TO CONDUCT JURY TRIAL**

The Plaintiffs filed their First Amended Complaint in this action on August 26, 2014. The complaint includes a demand for a jury trial. On March 19, 2015, I heard the Defendant's motion to dismiss claims for alleged violations of HRS

chapter 480, denying the motion in an order entered March 30, 2015. The Plaintiffs' jury demand also was discussed at the hearing and the Defendant indicated that it does not object to a jury trial before a district judge.

Therefore, I recommend that the district court withdraw reference of this adversary proceeding to conduct a jury trial. I further recommend that the district court leave the adversary proceeding in the bankruptcy court for all other purposes until sixty days prior to the trial date. This would facilitate a prompt resolution of this matter and permit me to set meaningful deadlines for the completion of all pretrial matters. Alternatively, the district court could withdraw reference now and address all remaining pretrial matters itself.

**END OF RECOMMENDATION**