

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re: Matthew I. Niles, <p style="text-align:right">Debtor</p>	Chapter 13 Case No. 23-10249
Michael Towle & Melissa Smith, v. Matthew I. Niles, <p style="text-align:right">Defendant</p>	Adv. Proc. No. 24-1001
Matthew I. Niles, <p style="text-align:right">Plaintiffs</p>	

Order Granting Referral Request

After consulting with the parties at a status conference on January 28, 2025, the Court GRANTS the parties' request for referral to judicial mediation on the following terms:

1. The parties remain bound by the trial and pretrial schedule established by the Scheduling Order dated January 23, 2025 [Dkt. No. 15]. The dates and deadlines established in that order are unlikely to be extended to afford the parties more time to explore the prospect of settlement.
2. In the meantime, however, the parties may (but are not required to) pursue a judicial settlement conference with Chief Judge Peter G. Cary. Counsel to the parties must jointly contact Sheila Dilios to schedule the settlement conference. She may be reached at (207) 274-5967 and sheila_r_dilios@meb.uscourts.gov.

3. In the future, requests for referral to judicial mediation are unlikely to be granted unless the parties seeking the referral are able to represent that they are prepared to work, in good faith, toward a consensual resolution of the case or matter. To this end, any request for referral to judicial mediation generally must be preceded by an exchange of written settlement offers that consider (i) the likelihood of success for the claims and defenses at issues in light of controlling or persuasive law; (ii) a reasonable estimate of the costs of litigating the case or matter and the parties' willingness and ability to bear those costs; (iii) the practical difficulties, if any, in realizing the benefit of an order or judgment (which might include the costs and delays associated with an appeal); and (iv) all other pertinent considerations.

Date: January 30, 2025



Michael A. Fagone
United States Bankruptcy Judge
District of Maine