

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

In re: Medley LLC, ¹ Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Adv. Docket Nos. 8 & 13

STIPULATION REGARDING APPOINTMENT OF MEDIATOR

This stipulation (the “Stipulation”) is entered into by and between the Medley LLC Liquidating Trust (“Plaintiff”) and Eversheds Sutherland (US) LLP (“Defendant,” and together with Plaintiff, the “Parties”). The Parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

RECITALS

WHEREAS, on March 3, 2023, Plaintiff filed its Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548, and 550 [ECF No. 1], in the above-captioned case (the “Complaint”);

¹ The Debtor’s current mailing address is c/o Medley LLC Liquidating Trust, c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, DE 19701.



WHEREAS, on June 23, 2023, Defendant filed its Answer, Affirmative Defenses and Counterclaim to the Complaint [ECF No. 4];

WHEREAS, on July 14, 2023, Plaintiff filed its Reply to Counterclaim [ECF No. 5];

WHEREAS, on February 13, 2024, the Court approved a scheduling order in the above-captioned adversary proceeding [ECF No. 8] (the “Scheduling Order”) setting various deadlines related to discovery and case management;

WHEREAS, paragraph 12 of the Scheduling Order provides that “[d]eadlines contained in this Scheduling Order may be extended by written agreement of the parties or upon written motion or stipulation for cause shown;”

WHEREAS, on July 15, 2024, this Court entered an *Order Approving Stipulation Extending Certain Deadlines in Scheduling Order* [ECF No. 13] (the “Amended Scheduling Order”) in this adversary proceeding;

WHEREAS, under Paragraph 7 of the Amended Scheduling Order, the Parties shall file a Stipulation Regarding Appointment of a Mediator by August 12, 2024 (the “Mediator Appointment Deadline”).

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED that:

1. Pursuant to the Amended Scheduling Order, Hon. Christopher S. Sontchi (Ret.) of Sontchi LLC shall be appointed as the mediator (the “Mediator”) in the above-captioned adversary proceeding.

2. The mediation between the Parties shall proceed in accordance with the applicable Amended Scheduling Order and the deadlines set forth therein and shall be conducted in accordance with the Local Rules of Bankruptcy Practice and Procedure of the United States

Bankruptcy Court for the District of Delaware and/or otherwise as may be agreed by the Parties and the Mediator.

3. If the Mediator is conflicted or if the Parties otherwise determine it to be appropriate, the Parties may in the future stipulate to retain an alternative mediator who, subject to Court approval, would then be substituted for the above-named person as the Mediator.

Dated: September 10, 2024

/s/ Sameen Rizvi

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