

**MEDIATION CONSULTANTS, LLC.**  
*“The Litigation Alternative”*

**CASE REFERRAL INSTRUCTIONS AND  
GUIDELINES**

**ENCLOSURES**

The completed Case Referral Form and payment must be mailed or delivered to Mediation Consultants, LLC, 50 Washington Street, Norwalk, CT 06854, with no signature required for delivery.

**TIME AND PLACE FOR SESSION**

Mediation Consultants will schedule all sessions and send a written notice to counsel of the scheduled session. Sessions will be held at any location agreeable to the parties and the neutral, including the neutral’s office, counsel’s office, or at another conference facility.

**USERS’ FEES**

Users’ fees, which include a non-refundable administration fee of \$150.00 per party, and the neutral’s fee, per party, must accompany the submission of the Case Referral Form.

The fees for neutrals range from \$250.00 per hour, per party, to \$125.00 per hour, per party, depending on the neutral selected. Special rates may be applicable in multi-party cases.

Users’ fees for the estimated time requested by the parties for the neutral’s services and for any estimated preparation time are payable in advance, as well as any conference facility charges. Charges for any overage in session time, preparation time, neutral follow-up time, neutral travel time, or conference facility charges will be billed immediately upon completion of the session.

50 Washington Street, Norwalk, CT 06854  
Telephone (203) 854-0304 Facsimile (203) 854-0383  
[www.mediationconsultantsllc.com](http://www.mediationconsultantsllc.com)

## **FEE POLICIES**

1. No mediation/arbitration session will proceed unless all parties' users' fees have been received.
2. Cases may be rescheduled at the parties' request without charge up to fourteen (14) days before the session date. There will be an additional \$200.00 per party charge for a case that is rescheduled within fourteen (14) days of the session date.
3. Cancellation within fourteen (14) days of the session date will result in forfeiture of users' fees or liability for unpaid fees, if Mediation Consultants is unable to schedule another session in place of the cancelled session.
4. Administrative fees are non-refundable for any reason.

## **SUBMISSION OF POSITION MEMORANDA**

At least seven (7) days prior to scheduled session, all parties shall submit position memoranda to the neutral. The memoranda must have attached to it a certificate of service stating that they have been served on all counsel and on the neutral, unless the parties agree or the neutral directs that the memoranda shall be ex parte.

The position memoranda should not exceed ten (10) pages and should include a brief statement of the facts and legal claims or defenses. For purposes of a mediation, the memoranda also should include a summary of prior settlement discussions, if any, between the parties; and the current settlement positions.

## **MANDATORY ATTENDANCE AT MEDIATION SESSIONS**

Unless the parties agree otherwise in writing, the following attendance requirements govern all mediation sessions:

- A. Trial Counsel: The attorneys who intend to try the case must attend the session.
- B. Parties: Individual parties must attend the session. Corporate parties must send a representative with authority to settle.
- C. Insurance Companies: A representative from the insurance carrier with authority to settle must attend any mediation session.

Counsel and the parties determine who shall attend an arbitration.

## **CONTACT WITH NEUTRAL**

EXCEPT FOR THE SERVICE OF POSITION MEMORANDA, UNDER NO CIRCUMSTANCES SHOULD COUNSEL OR THE PARTIES CONTACT ANY NEUTRAL FOR ANY REASON. Mediation Consultants' staff will handle all arrangements and communications with the neutral.

## **CONFIDENTIALITY**

All statements made or documents submitted for a session are confidential and "for settlement purposes" only. No neutral may be called to testify at any subsequent hearing or trial, except pursuant to statute.

## **ORGANIZATION MEETINGS**

Mediation Consultants is committed to designing dispute resolution procedures that meet the specific needs of the individual parties. To facilitate this goal, its staff will set up an initial meeting with the parties in complex cases to organize and establish procedures geared to streamlining the actual session with the neutral.