

GREAT LAKES DISPUTE RESOLUTION, LLC

MEDIATION PROCEDURES





MEDIATION PROCEDURES

OVERVIEW

Our Mediations are initiated by a request to GREAT LAKES DISPUTE RESOLUTION, LLC from the Parties to a dispute, or by court order, and conducted through the exchange of written documents and one or more Mediation Hearings, as the circumstances may require.

It is the goal of the Mediation process to reach a settlement of your dispute in as efficient, timely, and confidential manner as possible.

Our procedures are outlined below.



WHY MEDIATION ?

- ★ **COURT RECORDS** - Demonstrate that upwards of 80% of *ALL CIVIL CASES* filed in court will settle or be dismissed *BEFORE* any judge or jury hears the evidence in trial, because the parties have negotiated a resolution.
- ★ **PROCEDURALLY** - The litigation process consumes your valuable time and considerable financial resources to get to a point where participants will engage in negotiation and, statistically, settle. Mediation initiates the settlement process early, with great potential of saving time and money.
- ★ **QUALITATIVELY** - Mediation has the potential of protecting valuable client relationships.
- ★ **CONFIDENTIALITY** - Mediation permits a resolution between parties without the public record inherent in court filings.
- ★ **CONTROL** - Mediation allows you to participate in the outcome, to fashion and customize resolutions on your own terms.
- ★ **PRESERVATION OF RIGHTS** - If Mediation fails, your right to litigate remains.



WHY GLDR ?

★ **EXPERIENCE** - Our Mediator has been involved in the Maritime Industry as a maritime attorney for upwards of 40 years in multiple State and Federal Courts representing clients, as a lawyer, in such matters as:

- Ferry Operations
- Personal Injury
- Yacht Club Issues
- Vessel Chartering
- Vessel Damage and Repair
- Marine Surveyor Liability
- Boat Broker Lawsuits
- Vessel Purchase and Documentation
- Salvage and Marine Construction
- Marina Construction and Operations

★ **MEDIATION** - We have been mediating and settling disputes as a Mediator for upwards of ten years and have received certification and extensive training in numerous areas of civil litigation and pre-litigation disputes.



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STARTING THE MEDIATION PROCESS

Following the request of the Parties to a dispute to conduct a Mediation, or a court order appointing GREAT LAKES DISPUTE RESOLUTION, LLC [GLDR], an *INFORMATIONAL PACKAGE* will be sent to each Party, through its representative.

The Informational Package will include an *AGREEMENT TO MEDIATE* which outlines the terms and conditions under which GLDR will conduct the Mediation and which will require the signature of all participants and its return to GLDR.

Also included will be a *CONFIDENTIAL MEDIATION QUESTIONNAIRE* which is a document intended to inform GLDR of any private concerns and issues a Party might have entering the Mediation.



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SCHEDULING

After the *AGREEMENT TO MEDIATE* is returned with the required deposits to GLDR by all of the Parties, a schedule can be created.

A Mediation Schedule will be established by the agreement of the Parties or by the Court's order where applicable.

Typically, scheduling will include dates for filing with the Mediator:

- The *CONFIDENTIAL MEDIATION QUESTIONNAIRE*
- *MEDIATION SUMMARIES* with *Exhibits* if you chose to submit them.

and a date and time for the first day of the Mediation Hearing.



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CONFIDENTIALITY

One of the principal features of Mediation is that of CONFIDENTIALITY.

Information received by the Mediator, except where explicitly designed to be shared with another Party, will be kept confidential until or unless it is authorized to be shared.

Mediation is confidential in all aspects, but the Parties are encouraged to advise the Mediator whenever information is permissible to be shared with another Party.



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VIRTUAL HEARINGS

GREAT LAKES DISPUTE RESOLUTION, LLC is well equipped to conduct Mediations Hearings through the use of electronic media.

The selected method for virtual meetings is through the ZOOM meeting platform, and instructions on how to employ that medium are available.

Our Mediator has conducted many online ZOOM Mediations with notable success.



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FEES and COSTS

The *AGREEMENT TO MEDIATE* outlines the fees and costs which will be charged by GLDR.

An hourly rate is charged for services, and out-of-pocket costs, such as travel expenses, are additional.

Fees and costs are typically divided among the Parties equally.

A fully refundable deposit will be charged in advance of Mediation to secure a spot on our calendar, and it is payable with the return of the *AGREEMENT TO MEDIATE*. Additional funds are billed as they are incurred.



MEDIATION CHECKLIST

- Request Hearing – Contact GREAT LAKES DISPUTE RESOLUTION, LLC by email at Info@GLDR.us or by telephone to (231) 526-6800
- Receive *INFORMATIONAL PACKAGE* from GLDR.
- Read, Review, Sign, and Return *AGREEMENT TO MEDIATE* and *CONFIDENTIAL MEDIATION QUESTIONNAIRE* to GLDR with Deposit.
- Receive *Scheduling Memorandum* from GLDR after all Parties have responded.
- Prepare and Submit *MEDIATION SUMMARY* to GLDR, if desired.
- Prepare for Hearing. Ask for our *MEDIATION PREPARATION TIPS*, if desired.
- Conduct Hearing.



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QUESTIONS

Please call us with any question you might have concerning our policies, procedures, fees, or any other issue, and thank you for considering GREAT LAKES DISPUTE RESOLUTION, LLC.

GREAT LAKES DISPUTE RESOLUTION, LLC

Info@GLDR.us

(231) 526-6800