

## **SAMPLE CONFIDENTIAL MEDIATION STATEMENT**

This Confidential Mediation Statement is submitted on behalf of \_\_\_\_\_ [who] [which] is a party to the [Dispute] [Civil Action pending in the \_\_\_\_\_] described below. It is understood that this Confidential Mediation Statement is for the use of the Mediator only and has not been served on the other Mediating Party[ies].

### **I. Nature of the [Dispute] [Civil Action]**

(Please provide a brief summary of the nature of the [Dispute] [Civil Action].)

### **II. Procedural Posture of the [Dispute] [Civil Action]**

(Please provide a brief summary of the procedure posture of the [Dispute] [Civil Action] and, if a civil action, describe the status of pleading and motion practice and of discovery.)

### **III. Settlement Posture of the Matter**

(Please provide a brief summary of any settlement negotiations that have taken place between the parties, and any offers made.)

### **IV. Concise Summary of the Facts**

(Please provide a statement of the facts of the [Dispute] [Civil Action].)

### **V. Fact Issues**

(Please set forth the important fact issues in the [Dispute] [Civil Action].)

### **VI. Legal Issues**

(Please set forth the legal issues which will be determinative of the [Dispute] [Civil Action].)

### **VII. Applicable Authority**

(Please set forth applicable statutory and case authority upon which you rely in support of the claims or defenses in this matter.)

### **VIII. Evaluation of the Case (optional)**

(Please set forth the strengths and weaknesses of your client's case and the opposition case.)

## **IX. Other Considerations**

(Please set forth any other information that you believe will be helpful to the Mediator.)

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