

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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