

Guidelines for Mediation

Case Name _____

1. *Mediation.* We agree to engage Frank A. Dusek to assist the parties in concluding this dispute through mediation.
2. *Fees.* The parties each will pay the costs of mediation in accordance with Frank's Schedule of Fees, except as otherwise agreed. The conference fee is payable in advance of the conference. The settlement fee is payable within ten (10) days of agreeing to settle the case.
3. *Good Faith.* We participate in the mediation process in good faith, attend all scheduled meetings and will provide all information reasonably requested by the mediator. Our representatives will be fully authorized to negotiate and settle on our behalf.
4. *Voluntary.* We understand that the mediation is voluntary. No final decision can be reached without the consent of all parties. Any party can terminate the process by giving written notice to the mediator and paying all fees then due.
5. *Confidential.* We agree that all statements and communications made in the course of the mediation are confidential settlement discussions. We will not subpoena the mediator or his or her records for any purpose.
6. *Role of Mediator.* We understand that the role of the mediator is not to render a decision but to assist the parties in reaching agreement. We accept full responsibility for any agreement we reach.
7. *Legal Advice.* The mediator will not provide legal advice or services to either party, even if the mediator is an attorney. We recognize that, in the process of reaching agreement, we may choose to waive or forego a claim or defense, and will consult an attorney if we have any questions about our legal rights.

Agreed and Understood:

Date: _____

Signature: _____ Signature: _____

Signature: _____ Signature: _____

Frank A. Dusek
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