

CREATIVE DISPUTE RESOLUTIONS, LLC

PRE-MEDIATION STATEMENTS

Creative Dispute Resolutions, LLC strongly encourages the parties to submit pre-mediation statements and other pertinent documentation (pleadings, motions, records, etc.), and to do so sufficiently in advance of the scheduled mediation, so that the assigned mediator will have a preliminary understanding of the nature of the dispute and the status of the legal proceedings. Pre-mediation statements can be shared between the parties or sent confidentially to the mediator. Please specify from the outset how the parties would like their submissions handled.

There is no required form in which to provide this information, but the categories below tend to be quite helpful:

- (1) A brief description of the legal status of the dispute, including the caption of the case, the court in which the dispute is pending, the assigned judge, and any upcoming deadlines;
- (2) A description of the claims and defenses being presented;
- (3) Relevant facts and case law supporting the claims and defenses;
- (4) A candid recitation of the strengths and weaknesses in the parties' cases;
- (5) A history of the settlement negotiations, if any, to date; and,
- (6) A description of the impediments thus far to reaching a settlement.

In addition to receiving this type of information, the assigned mediator also may want to discuss other aspects of the dispute with the parties ahead of time.