

Eyler Dispute Resolution – Confidential Statement

Counsel for appellant and appellee, self represented, or other interested parties may be asked to provide information to the mediator prior to the mediation or may choose to provide such information absent a request. Pre-mediation communications do not need to be provided to opposing counsel/party(ies). If they are provided, please advise the mediator so that the mediator is aware that the information is not confidential. Otherwise, communications with the mediator are confidential and will not be disclosed without consent, subject to the exceptions contained in the Confidentiality Agreement.

The information requested will vary depending on the nature of the dispute. In general, it will include the following.

1. Whether the dispute is in litigation and, if so, the details.
2. Names, addresses, emails, and telephone numbers of principal counsel, if any; or if any of the parties will be self-represented, so indicate and provide contact information.
3. Names, addresses, emails, and telephone numbers of parties.
4. Names, addresses, emails, and telephone numbers of involved representatives (insurance, corporate, estate, other), indicating such person's role and title.
5. Identity of all persons not previously identified who should be involved in the mediation and provide addresses, emails, and telephone numbers.
6. A description of the underlying conflict between the parties.

7. A description of the factual and legal issues. If in litigation, a description of its status. A brief statement of arguments you expect to make regarding these issues. If post trial, a description of appealability issues and standards of review that pertain to the appeal.

8. If in litigation, pre or post trial, a description of any significant facts or issues that are not a part of the litigation that may have an impact on settlement.

9. A statement of the strong and weak points of the case.

10. A suggestion as to how the case should settle. Is the proposal realistic, and if not, why not?

11. A statement of goals with regard to the dispute?

12. A consideration of questions 7-11 from the perspective of each party and a statement by the responder as to how he or she believes each party would answer those questions.

13. A statement as to whether the parties mediated the conflict on a prior occasion. If so, a statement as to when and where mediation occurred, how long the parties were in mediation, the name of the mediator, and whether there was an agreement on any points.

14. An identification of relevant documents.

15. Any additional information that would be helpful in the mediation process.

Date: _____

Signature

Printed Name: _____

Please state whether you are a Party/Counsel for/Appellant or Appellee or other interested person: