

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

_____)
 _____)
 Plaintiff(s), _____)
 v. _____) Civil Action No. _____
 _____)
 _____)
 Defendant(s). _____)

STIPULATION SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding Alternative Dispute Resolution (ADR) and have reached the following stipulation pursuant to L.R. 16.2 and the Court’s ADR Policies and Procedures.

I. PROCESS

Select one of the following processes:

- _____ Mediation
- _____ Early Neutral Evaluation (ENE)
- _____ Court sponsored Binding¹ Arbitration
- _____ Court sponsored Non-binding Arbitration
- _____ Private ADR (please identify process and provider)
- _____ Other (please identify process and provider)_____

***If you are utilizing a private process, be advised that the case is still governed by the Court’s ADR Policies and Procedures. It is the responsibility of counsel to ensure that all of the proper forms are timely submitted and filed, as required by Policies and Procedures.**

II. COSTS

The parties have agreed to share the ADR costs as follows (do not complete percentages for Court sponsored arbitration. For that process, costs are paid by the Court in accordance with 28 USC §658.):

- _____ % by Plaintiff(s)
- _____ % by Defendant(s)

If a dispute arises as to compensation and costs for the mediator/neutral evaluator/private arbitrator, the Court will set reasonable compensation and costs.

¹For binding arbitration, please complete form “Stipulation to Binding Arbitration” located on the Court’s website at www.pawd.uscourts.gov

III. NEUTRAL

The parties hereby designate by agreement the following individual to serve as a Neutral in the above-styled action:

Name of Neutral: _____
Address of Neutral: _____
Telephone & FAX Numbers: _____
Email address of Neutral: _____
Date of ADR Session: _____

The parties represent that they have contacted the selected prospective neutral and have determined that the neutral is available to conduct the ADR session within the time prescribed by the Court's Policies and Procedures and that the neutral does not have a conflict.

IV. PARTICIPANTS

Name and title of the individual(s) who will be attending the mediation or early neutral evaluation session, **in addition to counsel**, in accordance with **Section 2.7 (Attendance at Session)** of the Court's ADR Policies and Procedures:

For Plaintiff(s) _____ Name and title
For Defendant(s) _____ Name and title
For 3rd party Deft(s) _____ Name and title

If there is insufficient space to list all parties who will be attending the session, please add additional sheets as necessary.

Each party certifies that the representative(s) attending the ADR session on its behalf has full and complete settlement authority, **as specified in sub-section (A)(1-3) of the above section of the Court's ADR Policies and Procedures.**

V. ACKNOWLEDGMENT

We, the undersigned parties to this action, declare that this stipulation is both consensual and mutual.

Dated: _____
Attorney for Plaintiff(s)

Dated: _____
Attorney for Defendant(s)