Pre-Mediation Inquiry

(this is sent to each side)

**This Form filled out by:**

**Date:**

**Style of the case:**

|  |
| --- |
| **PLEASE DON’T BE INTIMIDATED BY THIS FORM****Use it to the extent you feel it is helpful in conveying to us the****Nature of your case.****The minimum requested info, that we would like to receive ASAP, is marked with \*\*** |

*(THIS FORM IS LOOSELY FORMATTED TO PROVIDE FREE SPACE FOR YOU TO FILL IN YOUR RESPONSES –* ***also feel free to submit any other form of Confidential Mediation Memo that suits your purpose****).* There are just a couple of items that are required, and they are marked with **“\*\*”** (attorney info & client emails)

Please return this form and any other materials to [Contact@JudgeGilJones.com](file:///C%3A%5CUsers%5Cjstsy%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5C8TZ3AEUL%5CContact%40JudgeGilJones.com).

# Introduction

The following information is requested for two purposes: first, to allow me to identify important issues applicable to this mediation and second, to allow you to do a pre-mediation inventory of the issues and circumstances that are Important. Please feel free to provide **additional** information as you may deem necessary or relevant. Also, please feel free to **ignore** any questions that you may feel need not be revealed at this time. Please answer as briefly as you can; if you feel a longer answer is required, feel free to attach an exhibit. *I am known for reading your info. You cannot send me too much.*

# Confidentiality

As with all communications received by me during the pre-mediation process, all this information will be treated with strict confidentiality and will not be divulged to anyone without specific permission.

**Phone contact**

You are also encouraged to follow up with a phone call to me at 830-201-0050 and you can make a phone appointment with me with an email to Jennifer at [Jenn.Jones@JudgeGilJones.com](file:///C%3A%5CUsers%5Cjstsy%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5C8TZ3AEUL%5CJenn.Jones%40JudgeGilJones.com).

\*\* **Full Case Style:** (as in Cause #, Pltf v Dft, 1000th Dist, Long County)

\*\* **Attorney info**

Preferred name of lead attorney:

Bar number:

Office phone number:

Cell phone number if you don’t mind:

Full mailing address:

**Identification of Your Parties**

Party 1:

\*\* Full name:

\*\* Email address:

 **Party emails will not be revealed to other parties or counsel**

Mailing address:

Party 2:

\*\* Full name:

\*\* Email address:

 **Party emails will not be revealed to other parties or counsel**

Mailing address:

Party 3:

\*\* Full name:

\*\* Email address:

 **Party emails will not be revealed to other parties or counsel**

Mailing address:

\*\* Please identify all persons who will attend the mediation on your side and their respective capacities in relation to the mediation [whether represented by you or not]:

|  |  |
| --- | --- |
| Person | Capacity |
|  |  |
|  |  |
|  |  |

**-------- this is the end of the \*\***  **essential initial info request --------**

**Identification of Opposing parties and counsel**

Please simply list each party and the party’s attorney (or pro se). Full info will be obtained from the other side.

Are there any special needs or accommodations required by any of the parties or their representatives who will attend the mediation? [ ] Yes / [ ] No

Are there any special dietary requirements that will be required by any person attending the mediation? (sandwiches are provided for full day mediations) [ ] Yes / [ ] No

Please identify all persons WHO WILL NOT ATTEND the mediation, but who may have some authority or decision-making power in relation to this mediation and their respective capacities [whether represented by you or not]:

|  |  |
| --- | --- |
| **Person** | **Capacity** |
|  |  |
|  |  |
|  |  |

Identify other persons or parties who ARE NOT PART OF THIS DISPUTE who may have some bearing on the outcome of this mediation.

|  |  |
| --- | --- |
| **Person** | **Capacity** |
|  |  |
|  |  |
|  |  |

Will a person with authority to fully bind the parties to a settlement attend the mediation?

 [ ] Yes / [ ] No

*If not, please identify the person whose signature or authority is necessary and the reasons why such person will not attend the mediation*.

**Please select the category or categories of dispute that best suit this case (check all categories that apply)**

[ ]  Property [ ]  Personal Injury [ ]  Family

[ ]  Business [ ]  Corporation [ ]  Partnership

[ ]  Intellectual Property [ ]  Government [ ]  Tax

[ ]  Land Use [ ]  Negligence [ ]  Consumer

[ ]  Landlord/Tennant [ ]  Labor/Employment [ ]  Probate

[ ]  Environmental [ ]  Professional Negligence [ ]  Med-Mal

[ ]  OTHER:

Have any of your clients even been to mediation on any subject before? [ ] Yes / [ ] No

Will you require any special audio or visual equipment for your mediation presentation? [ ] Yes / [ ] No

*If so, please specify whether you will make arrangements for the necessary equipment and identify what equipment will be used*.

Will any party be attending via teleconference? [ ] Yes / [ ] No

*If so, please identify*.

Will any party require video conferencing equipment? [ ] Yes / [ ] No

*If so, please identify the equipment that will be used (it is assumed that you will furnish it).*

Have all parties been joined in this cause of action? [ ] Yes / [ ] No

*If not, please identify which parties have not been joined, and the reason for their non-joiner.*

Has any party filed a motion for summary judgment? [ ] Yes / [ ] No

Has any motion been heard or is now pending for decision before the Court? [ ] Yes / [ ] No

*If so, please identify which motion or motions are pending (a copy would be helpful):*

*If so, please identify the parties filing:*

Please identify the issues upon which each motion is based.

When is this cause set for trial? [ ] Not set

Has this matter been mediated before? [ ] Yes / [ ] No

If this case has been mediated before, why is this matter being mediated again?

What circumstances have changed since the last mediation to make you believe that settlement is more likely now than before?

What are the principal issues to be resolved at this mediation? Please state your specific positions regarding these issues, and the opposing party’s positions.

What offers have been previously exchanged between the parties?

Have there been any settlements with parties that are not involved in the mediation? [ ] Yes / [ ] No

*If so, please identify the parties and the nature of the settlement with each.*

What is the status of discovery in this case?

[ ]  Minimal

[ ]  Some

[ ]  Substantially complete

What discovery **HAS NOT BEEN COMPLETED THAT** you believe must be conducted prior to mediation. [ ]  None

What additional information is important to you that should be obtained **PRIOR TO THE MEDIATION SESSION** by the mediator? [ ]  None

If the case cannot be settled at mediation, have the parties contemplated other forms of alternative dispute resolution procedures that may assist in pre-trial settlement of this case?

*If so, please state what other procedures you believe could be helpful.*

If this case cannot be settled at mediation, is there any narrowing of legal issues that can be accomplished at mediation?

For example, are there any pre-trial matters that could be agreed upon at mediation, or any discovery disputes that could be addressed?

Thank you for preparing the advance information. It will be very helpful in getting me up to speed in your case and to give the mediation the best chance for success.

Regards,

Gil Jones

830-201-0050

[GJones@JudgeGilJones.com](file:///C%3A%5CUsers%5Cjstsy%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5C8TZ3AEUL%5CGJones%40JudgeGilJones.com)

Staff email: Jenn.Jones@JudgeGilJones.com