

MEDIATORS OPENING STATEMENT

Greetings. I am Michael Lodge, A nationally certified professional mediator specializing in business matters. I am your mediator for today, which means that I am here to help you and to aid your efforts to resolve your conflict. Let's discuss three things of this mediation today.

One, this is a voluntary process. The mediation process exists for your benefit, which is why it can be voluntary. I will be helping you make your own choices in your own self-interest by examining your essential needs and positions.

Two, I will emphasize fairness. This means that I will treat each side equally and act only inside the limits you authorize.

Three, Confidentiality. The discussions we have today are confidential. They will not be used in any arbitration of legal proceedings. Any notes that I take today will be destroyed. Everything remains private unless you say otherwise to me.

Either of you may ask to take a break at anytime during our mediation process. If you wish to meet with me in private, called a caucus, you may do so. Each side will be given an equal amount of time to meet with me in private.

To start the process, I will ask each side to put their issues on the table to tell us about your side of the case. I would ask that you limit your opening statements to about 15 – 20 minutes. I ask that both parties be respectful and remain silent during the opening statements. When both sides have finished, I will ask each side questions to better understand both positions.

It is necessary for this mediation process to go forward for each of you to sign this written agreement to mediate. If you would just look it over, please. It basically says that you have come of your own accord, that what you say here will be kept confidential, and that the Mediators will not be asked to release information discussed here, nor will they be summoned into court to testify on matters disclosed here.

You have both submitted an "Intake Form" and have copies of each other's submitted form.

Also, before we go to your opening statements, are both of you the decision makers and can you make a decision to resolve this issue or do you need to go to an outside party to discuss any agreement that is come to in this mediation process?

I would like to start with the person that contacted me for mediation to begin with your opening statement.