

SUPREME COURT OF THE STATE OF NEW YORK
COMMERCIAL DIVISION - COUNTY OF WESTCHESTER

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Plaintiff,

Index No.

- against -

ADR INITIATION FORM

Defendant.

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1) This case was referred to the Alternative Dispute Resolution Program (order of Justice _____ dated _____).

2) Counsel for the parties must consult one another, complete this form and forward a copy of it by fax (914) _____ to the Program Administrator **within 5 business days from the date on which the Order of Reference to ADR was transmitted to the parties.** This deadline will not be extended. The original form will be sent to the mediator selected for the case.

3) A. The Program Administrator has contacted a neutral listed on the Roster who agreed to serve as the mediator. The mediator is:

Name

Address

Phone Fax

B. The mediation is scheduled for

Date Time

Location

4) Pursuant to Rule 4 (ii), the parties may agree on a neutral other than the one designated by the Program Administrator. In order for a substitution to be made, the parties must contact the other neutral directly, whether a member of the Roster or someone else, and make arrangements for that person to conduct the ADR proceeding within the time frame set forth in these rules. In the event a substitution is made, the name of the mediator and selected date, if possible shall be included in item 3 above.

5) The attorneys for the parties herein are as follows:

For Plaintiff:	For Defendant:
_____	_____
_____	_____
_____	_____
_____	_____
Phone: _____	Phone: _____
Fax: _____	Fax: _____
E-Mail: _____	E-Mail: _____

6) Please briefly describe this case, including, if possible, the damages claimed:

7) In order that the mediator tentatively selected may run the required conflicts check, counsel for any corporate party must list here or on an attached sheet the names of all corporate parents, subsidiaries or affiliates:

8) This case will be **mediated** unless otherwise agreed, in which event, identify the procedure selected:

Arbitration _____ Other (Specify): _____

9) Please indicate whether there are in this case:

Motions *sub judice*: Yes ___ No___ Program Administrator Coordinator immediately.

10) By signing below, counsel, on behalf of the parties, certify that they have read and will comply with the ADR Rules of the Commercial Division. Counsel, on behalf of the parties further understand and agree that the mediation process is confidential and that the mediator, if designated or otherwise chosen to handle this matter on a pro bono basis, shall be immune from suit by any of the parties or other participants in this case because of or based upon the mediator's activities as such in this matter. Litigants should be aware that no attorney-client relationship exists between the mediator and litigants. Nor may the mediator provide legal services to litigants during the process.

For further information, consult the Commercial Division Internet home page (www.nycourts.gov/comdiv) or contact the Division's Program Administrator at (914) 824-5442

Counsel for Plaintiff

Counsel for Defendant