

ATTORNEYS MEDIATION SERVICES, LLC

an Ohio Limited Liability Company

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October 15, 2009

, Esq.

Beachwood, OH 44122

, Esq.

Cleveland, OH 44114

RE: *case caption*

Dear Counsel:

Thank you for the opportunity to serve as private mediator in the above referenced matter, which has been scheduled for **at 10:00 a.m., and will be held at the law office of**

Following are the relevant requirements regarding the mediation:

1) Please forward a completed mediation statement to my office **2 days** prior to the mediation-- attach supporting documents if you believe they would be helpful. I have enclosed a copy of the statement for you to use. Provide opposing counsel with a copy as well.

2) Please arrange to have your clients and/or representative attend the mediation. If alternate arrangements are necessary, please advise me and discuss the matter with opposing counsel for their approval.

3) The mediation will be conducted in accordance with the provisions of The Ohio Uniform Mediation Act, found at §2710.01 et seq. of the Ohio Revised Code, and by agreeing to the process, the parties agree to be bound by the statutory provisions. Counsel are referred to §2710.01(G) and §2710.03(A) regarding confidentiality provisions. Any concerns involving those

provisions must be brought to the attention of the mediator prior to the commencement of the mediation session.

- 4) The cost for the mediator will be as follows, unless otherwise agreed to by the parties:
 - a) For two parties, \$150.00 per hour per party
 - b) For three parties, \$125.00 per hour per party
 - c) For four or more parties, \$100.00 per hour per party.

Travel time up to 1.5 hours each way is billed at the above listed rate. Any travel time exceeding 1.5 hours each way is billed at 50% of the above listed rate.

5) I do not set time constraints on mediation sessions. I will spend whatever time is necessary in an attempt to resolve your case. If you and/or your clients have other scheduling concerns that would preclude you or them from devoting whatever time is necessary in mediating this case, I would urge you to contact me prior to the session to discuss this issue and how it might affect our session. Being forced to conclude a session prematurely is extremely harmful to the process.

6) The agreement to mediate is an agreement between Attorneys Mediation Services and the counsel involved in the mediation. Attorneys Mediation Services does not contract directly with any party, unless the mediation involves a party who is unrepresented. Counsel is responsible for payment of fees.

7) If any confirmed mediation is canceled less than fourteen (14) days prior to the scheduled session, a cancellation fee up to but not to exceed two (2) hours per party may be charged. Any such charge is based on the reasons for cancellation. Attorneys Mediation Services would not charge such a fee if the cancellation is due to personal emergent circumstances.

Under normal circumstances, the mediator does not speak with counsel prior to the session regarding the case, but if there are issues counsel feels need to be addressed, the mediator will be amenable to any such discussions.

Again, thank you for the opportunity to assist you in this matter.

Sincerely,

Jeffrey S. Wilkof

JSW/ksw

Enclosure