

Appendix B

Cause No. _____

vs

IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS

nd JUDICIAL DISTRICT

ORDER OF REFERRAL FOR MEDIATION

This case is appropriate for mediation pursuant to Tex. Civ. Prac. & Rem. Code Sec. 154.001, *et seq.* _____ is appointed Mediator in the above case, and all counsel are directed to contact Mediator to arrange the logistics of mediation. The Mediator's address and phone number are _____.

Mediation is a mandatory, non-binding settlement conference, conducted with the assistance of the Mediator. Mediation is private, confidential, and privileged from process and discovery. After mediation, the Court will be advised only that the case did or did not settle. The Mediator shall not be a witness, and the Mediator's records may not be subpoenaed or used as evidence.

Fees for the mediation are to be agreed upon by the parties and the Mediator, and divided and borne equally by the parties unless agreed otherwise. Fees shall be paid by the parties directly to the Mediator, and shall be taxed as costs. Each party and counsel will be bound by the Rules for Mediation printed on the back of this order.

Named parties shall be present during the entire mediation process, and each corporate party must be represented by a person with authority to negotiate a settlement. The mediation must be completed within _____ days from the date of this Order or before the trial setting, whichever comes first. Counsel and parties shall try to agree upon a mediation date within the next _____ days. If no agreed date can be scheduled, then the Mediator shall select a date, and all parties shall appear as directed by the Mediator.

Referral to mediation is not a substitute for trial and the case will be tried as assigned if not settled. Disputes as to fees may be submitted to the Court.

Signed _____

JUDGE

District Court

Trial:

JRT
7-18-00
L.B.