

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

\*

vs.

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Case Number:

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SCHEDULING ORDER AND ORDER FOR CIVIL MEDIATION

This case being subject to an Order based upon the information sheets filed by the parties and pursuant to Maryland Rule 2-504, it is thereupon this 16th Day of September, 2010, by the Circuit Court for Frederick County, Maryland,

**ORDERED**, that the Hearing, Trial and Cut-off Dates are as follows:

- 01/08/11 Additional parties to be Joined
- 01/08/11 Plaintiffs Expert Witnesses Identified
- 02/22/11 Defendants Expert Witnesses Identified
- 03/09/11 Notice Required by Md Rule 2-504.3(b) regarding Computer Generated Evidence
- 03/09/11 Discovery to Be Completed
- 03/24/11 All Dispositive Motions due
- 04/08/11 Amendments as of Right due
- 04/27/11 Pre-Trial Statement, etc. (as outlined below)
- 05/04/11 02:00PM Pre-Trial Conference
- 06/07/11 10:00AM Civil Jury Trial Day 01 of 02

If any of the above cut-off dates occur on a Saturday, Sunday or a Court Holiday, the cut-off date shall occur on the next business day; and it is further

**ORDERED**, that no later than seven (7) days prior to the Pre-Trial Conference, counsel shall file with the Court a Pre-Trial Statement in accordance with Maryland Rule 2-504.2(b), as well as each of the following:

- (a) All Motions in Limine, and
- (b) Any proposed voir dire questions, and
- (c) Any proposed Special Verdict sheet, and
- (d) An accurate estimate of the trial time; and it is further

**ORDERED**, that in case of settlement prior to mediation, parties immediately shall file a joint line informing the Court of settlement and inform the Mediator in writing; however no dates will be removed unless a Joint Stipulation of Dismissal is filed, or in the alternative a Joint Motion to Stay pending filing of a Stipulation of Dismissal; and it is further

**ORDERED**, that this matter is referred to one (1) session of mediation, being two (2) hours, with the Mediator having the discretion to require the parties to

attend a second session of mediation, also being (2) hours; and it is further

**ORDERED**, that the parties are hereby referred to the following court-appointed Mediator:

and it is further

**ORDERED**, that the parties or the parties' counsel shall schedule the first mediation session within forty-five (45) days of this Order; and it is further

**ORDERED**, that sixty (60) days prior to the scheduled trial date, the mediation sessions shall be completed; and it is further

**ORDERED**, that all mediation sessions shall take place in Frederick County unless otherwise requested by the parties; and it is further

**ORDERED**, that enclosed with this Order is a CONFIDENTIAL ADR STATEMENT to be completed by each party or the parties' counsel and received by the Mediator at least five (5) business days prior to the initial mediation session; and it is further

**ORDERED**, that the parties shall compensate the Mediator, at a rate of \$400 for the first two-hour session, split equally among the Plaintiff(s) and Defendant(s); and it is further

**ORDERED**, that once a mediation session is scheduled, the parties must provide 24-hour notice to the Mediator to postpone or cancel the mediation session. Failure to provide the Mediator with such notice will result in the parties compensating the Mediator for the missed session; and it is further

**ORDERED**, that the parties, the parties' counsel, and insurance adjustors with the authority to settle this matter, if any, shall appear at the mediation sessions and are to make a good faith effort to settle this matter; and it is further

**ORDERED**, that in the event an agreement is reached in mediation, the parties shall, within fifteen days of the last mediation session, file a joint line informing the Court of Settlement; however no dates will be removed unless a Joint Stipulation of Dismissal is filed, or in the alternative a Joint Motion to Stay pending the filing of a Stipulation of Dismissal; and it is further

**ORDERED**, that if no agreement is reached or the Mediator determines that mediation is inappropriate, the Mediator shall so advise the Court in writing; and it is further

**ORDERED**, that the parties or the parties' counsel have thirty (30) days from the date of this Order to file with the Alternative Dispute Resolution Coordinator a written objection to mediation pursuant to Maryland Rule 17-103 or to request a specific mediator; and it is further

**ORDERED**, that the Mediator may not excuse any party from attending the mediation sessions without further Order of Court; and it is further

ORDERED, that all mediation sessions shall be confidential and inadmissible in any proceeding without the consent of all parties, and in no event shall the Mediator give evidence in such proceeding regarding mediation; and it is further

ORDERED, that the Court's prior Orders remain in full force and effect.

Failure to comply with this Order may result in sanctions.

~~Administrative Judge~~  
Circuit Court for Frederick County, MD

Enclosure: Parties to receive Confidential ADR Statement  
Mediator to receive UCS Involved Parties Sheet

cc: Pro Se Parties, Counsel of Record, Mediator, File

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

**CONFIDENTIAL ADR STATEMENT**

Please complete and return this form to the Mediator only, not the Court or other counsel.

Case Name: \_\_\_\_\_ Case No. \_\_\_\_\_

Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_

1. Nature of the case: A brief statement of the facts.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Claims and/or Defenses: Each party to provide claims and defenses as asserted by that party. For personal injury cases, indicate if liability, and/or medical necessity and/or reasonableness of bills are issues.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Relief Sought: Specify nature and amount of each item of damage claimed or description of equitable relief sought. Is permanency an issue? If so, what is the rating.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Is any settlement subject to a lien? Indicate which expenses have already been paid and by whom.

\_\_\_\_\_  
\_\_\_\_\_

5. Most recent settlement demand/offer.

\_\_\_\_\_  
\_\_\_\_\_

6. What figure or other alternative do you believe would settle this case?

\_\_\_\_\_

\_\_\_\_\_  
Attorney for \_\_\_\_\_