

Mediation Agreement

The parties each hereby voluntarily submit their case to non-binding mediation before Attorney Robert H. Flynn. They each further agree to the following:

- 1. Each party agrees to negotiate in good faith with decision makers present unless by agreement they are available on telephone participation.**
- 2. The mediator's work product and all communications at the mediation shall be confidential pursuant to G.L. c.233, §23C.**
- 3. Neither party shall seek its disclosure. The parties each agree to indemnify and hold the mediator harmless from any and all liability or damage caused to him, directly or indirectly, including attorneys fees incurred in defending the confidentiality of communications at the mediation, as a result of any subpoena for the mediator or his file on this case; any party seeking through subpoena to obtain such disclosure agrees to indemnify and hold any other party to this mediation harmless for the obligations to the mediator as described above.**
- 4. The mediation fee, payable, in advance, is \$1,500 for a half day session and \$2,900 for a full day session divided equally between the parties. Extra hours are at \$375 per hour per the Mediation Fees & Policies Schedule provided.**

Claimant

Counsel for the Claimant

Defendant

Counsel for the Defendant

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