

MEDIATION INTRODUCTORY TEMPLATE

Hon. William V. Gallo, Ret.

Dear Counsel:

Thank you for choosing me to serve as your mediator in [CASE NAME] scheduled for [DATE/TIME]. I appreciate the trust and confidence you have placed in me to assist you and your clients in resolving the issues in this case. I look forward to working with you in reaching a mutually satisfactory resolution.

In helping me best serve you and your clients, I ask for a few simple things, which in my experience have been very helpful in educating me about the case, identifying problem areas, and facilitating the discussion in the most positive, productive manner. Please know that I am committed to doing everything possible to bring about a successful conclusion to your mediation.

MEDIATION BRIEFS

I request a Mediation Brief of no more than 10 pages (double spaced in 14 point font) in letter format be submitted to me at least one week prior to the mediation, that is by no later than [date minus 1 week]. Your brief should contain the following:

- 1) a concise statement of the facts;
- 2) citations to the pertinent law applicable to the case;
- 3) a liability and damages analysis; and,
- 4) a summary of any prior settlement discussions.

I strongly encourage you to share your Mediation Brief with opposing counsel. Doing so, facilitates the discussion and allows us to use our time more efficiently and effectively. Confidential information may be emailed directly to me.

I request you email your Mediation Brief to both briefs@judicategwest.com and william.gallo@judicategwest.com with a copy to Samantha Finlen, My Case Manager, at samantha@judicategwest.com.

EXHIBITS

I encourage the submission of exhibits as well. Please attach to your Mediation Brief only pertinent documents, records, photographs, diagrams, or specific pages of relevant documents you wish me to carefully review. I suggest drawing my attention to particularly helpful portions by highlighting those sections. You, of course, may bring other critical and relevant documents and exhibits with you to the mediation for consideration.

If there are pleadings in this case, please send them to us as soon as possible. If this is a pre-litigation mediation, then it is all the more important that I receive your Mediation Brief in a timely manner.

PRE-MEDIATION CONFERENCE CALL

It is my practice to speak with counsel separately and confidentially about the case after I have received and read your Mediation Brief. I have found this exercise to be extremely helpful in identifying issues that may arise during the mediation, preempt problem areas if possible, get to know the lay of the land, and most importantly, to get a jump start on the mediation and enter our discussions with some momentum. I would prefer to begin mediations with a joint session but only if all parties believe this would be helpful. During the pre-mediation call, you can inform me of your preference.

In anticipation of the timely submission of your mediation briefs, I'd like to schedule our pre-mediations calls at this time. I'll first call Plaintiff on [DATE/TIME]; Defendant will follow on [DATE/TIME]. I would very much appreciate letting me know of your availability (or suggesting an alternative date/time) and a good phone number to reach you.

DECISION MAKERS

There is no greater obstacle to reaching a settlement than the absence of the necessary decision makers. Whether our mediation will be in person or via Zoom, please ensure that the persons who have binding settlement authority, including insurance adjusters, are present or immediately available to confirm their affirmation of the settlement reached. I will inquire during the Pre-Mediation Conference Call whether the person with authority will not be present and whether you have informed opposing counsel.

SETTLEMENT

I am hopeful we will reach a resolution in this case. Accordingly, counsel should have either a draft of a long form Settlement Agreement or a "Term Sheet" in Word format readily available which will allow you to insert the essential and material terms of the settlement agreement for circulation among the parties for review and signature. Absent parties may execute the agreement using the DocuSign platform.

CONTACT INFORMATION

My email address is william.gallo@judicategwest.com. My cell phone number is 619-988-7682. Feel free to email, call or text me. As soon as possible, please provide me with your best contact information.

Please contact my Case Manager, Samantha Finlen at Judicate West, should you have any logistical or other questions. She is best reached at 714-852-5180 or via email at samantha@judicategwest.com.

Thank you and I look forward to working with you.

Regards,



Hon. William V. Gallo, Ret.

Mediator | Arbitrator | Private Judge

Mediation Case Manager: [Samantha Finlen](#)

CM Direct: (714) 852-5180

Arbitration/Private Judging Case Manager: [Samantha Finlen](#)

CM Direct: (714) 852-5180



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