1. notice of mediation

DATE: **[insert date]**

TO: **[include address, telephone, fax number, and e-mail address, if known]**

FROM: **[include address, telephone, fax number, and e-mail address, if known]**

* 1. I/We, **[insert name of party giving notice]** have made a good faith effort to reach a settlement of the dispute through negotiation.
	2. Proposed Mediators (include name and contact information):
		1. <\*>
		2. <\*>
	3. Statement of Facts Agreed by All Parties, if any:
	4. Statement of Position:
	5. Documents:
	(If you are relying on any documents then a summary of each document must be set out below or on an attached schedule. Each summary must include the date of the document’s creation, its author and a brief summary of its contents.)

| **DOCUMENTS** |
| --- |
| **DATE** | **AUTHOR** | **BRIEF SUMMARY OF CONTENTS** |
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|  |
| (Signature) |

Each Recipient of this Notice of Mediation shall Deliver to the other Party or Parties the names of two (2) qualified individuals to act as Mediator, who have indicated a willingness to act Mediator, ranked in order of preference and each Recipient shall include a written statement of their position.

If the Parties are unable to reach unanimous agreement on the selection of a mediator within ten (10) days after the date the Notice of Mediation is Delivered, the mediator shall be selected at random by draw by the Party who Delivered the Notice of Mediation and in the presence of the other Parties from among the names of the mediators submitted by the Parties.

The Party who Delivered the Notice of Mediation, must notify the mediator of their appointment, within three (3) business days of such appointment and shall provide the mediator with a copy of this By-law.

If a Party fails to submit names in accordance with Article 3.1(b), the Mediation will be deemed to have failed and the mediator selected by the other Party or Parties shall Deliver to all the Parties a Notice stating that the mediation has failed and the notice may specify how the mediator’s fees and expenses are to be borne by the Parties.