

June 18th, 2021

Memorandum Of Understanding

This Mediation Summary Report is a reflection of the mediator's understanding of the parties' discussions and agreements during their meeting. It represents confidential and without prejudice settlement discussions and is covered by the confidentiality and without prejudice provisions of the Agreement to Mediate signed by the parties and the mediator.

This is not a binding agreement. It's intended purpose is to give the parties and opportunity to consult with their respective lawyers and to obtain any other advice that will further their understanding of the process and it's implications. The parties may change this memorandum and either party may change his or her mind about anything in this memorandum. This memorandum and any accompanying documents, such as a draft net family property statement, are not intended for general circulation or publication. They are not intended to be relied upon by the parties in the absence of legal review. We do not assume any responsibility or liability for losses occasioned to you or any other party as a result of the circulation, publication, reproduction or use of this information contrary to the provisions of the signed mediation agreement.

Description:

Theo DuBois and Max Caplan met with the mediator, Heather Craig, on June 17th, 2021 for their first mediation session. The meeting was one hour in length, and the agenda items that were important to both Max and Theo were discussed. These items included the following:

1. Parenting schedule
2. Division of art
3. Division of household items

Background

1. Theo and Max separated (D.O.S. TBD) and are still living together.
2. There are two children of the relationship, Rose, D.O.B 6/12/2012, and Everett, D.O.B. 7/29/2014.
3. Although Max has spoken with a family friend who is a lawyer, neither Max nor Theo have received independent legal advice.
4. Theo and Max each signed the agreement to mediate at the outset of mediation. As per the mediator's agreement, closed mediation was conducted. As such, the following is a summary of agreed to points:

1. The children will spend alternating weekends with each parent from Friday at 5pm to drop off at school on Monday morning.
2. If either parent is unable to find a close friend or family member to watch the children overnight during their parenting time, they will call the other parent, who will have the right of first refusal.
3. Max and Theo will give one another 24 hours notice if they cannot find a parent or family member to watch Rose and/or Everett. The only exception to not giving the other parent 24 hours notice, would be if there was an emergency.

Art

1. The "Still Life" painting will go to Theo.
2. Of the remaining seven pieces, the most expensive three will go to Max.

The remaining four will be appraised by an agreed upon appraiser, and will be split equally between Theo and Max. Theo has the option to pay Max out for his half should Theo choose to keep all four.

Next steps:

1. Seek Independent legal advice regarding parenting schedules so as to be able to make informed decision in mediation.

Items to be discussed next time:

1. Joint living expenses
2. Models for parenting plans

Thank you for taking the time and having the courage to share your thoughts and feelings in a safe space.

Heather Craig | Mediator