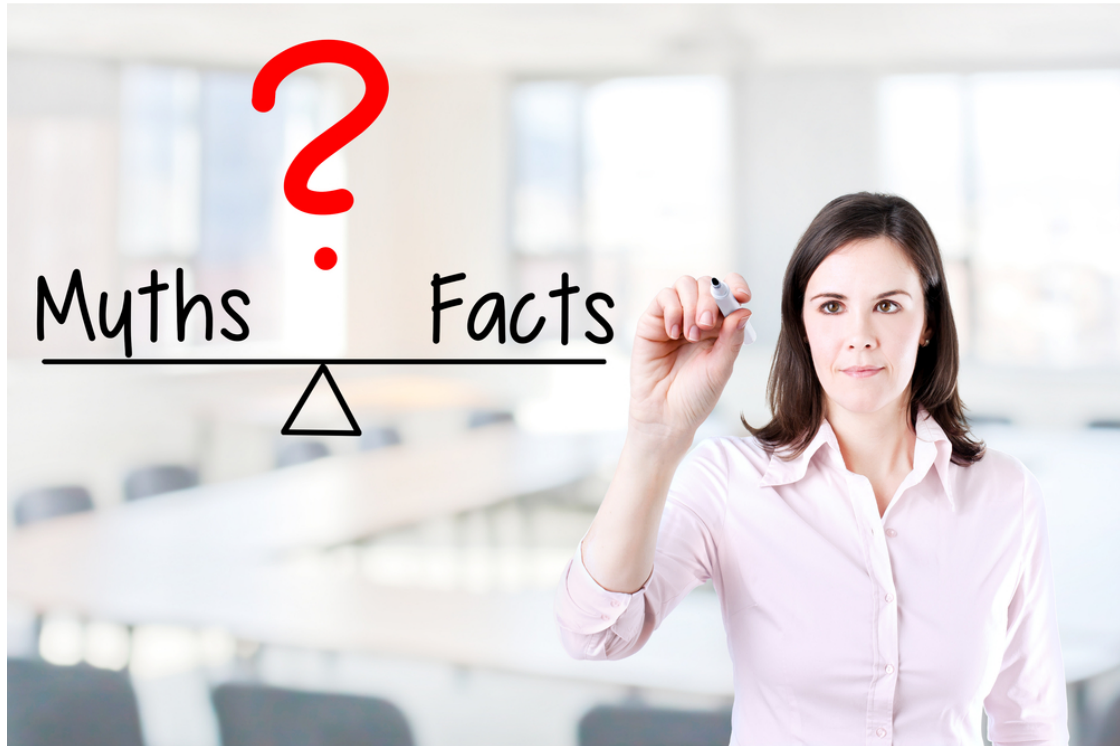


Mediation Myth Buster



Mediating is a sign of weakness?

Quite the opposite – mediating makes complete commercial sense.

It can be much swifter than the court process & far less expensive.

No judgments are made for you, as you are in control, not the judge.

Discussions are much broader & relevant because you can discuss past, present & future issues, facts & interests, in a way that isn't possible in court.

It is private, the process is without prejudice, thus not limiting options at any point & yet written agreements are binding.

What happens if disputes don't resolve on the day?

Mediation has a very high rate of success, so this is far less common.

Lucent Talking will support all parties until there is a resolution. If a further mediation is required, then the fees are slashed by 50% plus expenses.

There can be lots of twists & turns in the discussions. Sometimes when people have taken a step back & reflected on a mediation that hasn't been fully successful, things have still changed significantly. The work towards resolution continues with the support of Lucent Talking.

Settlement before the Mediation.

This does happen. When it does, the mediation fee is returned minus an amount for any work undertaken. If this is before the bundle has been read, then all but 15% is returned.

Can the mediator be called to give evidence at the court case?

No. You will have signed the mediation agreement which will state this & as the Mediator has not given advice, or disclosed any information to anyone else, so they have not influenced any process of the dispute or changed the outcome in any way. The Mediator destroys all notes that they may have made during the mediation. These notes are simply an aide memoire & serve no other purpose given the mediation is without prejudice. A mediator does not express an opinion before, during or after mediation.

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All communication with Lucent Talking is confidential.