

FILED

UNITED STATES DISTRICT COURT OF
THE MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

JUL 12 PM 3:43

ANTHONY N. THACKER,

CASE NO.: 99-320-CIV-OC-10

Plaintiff,

v.

SUMTER ELECTRIC COOPERATIVE, INC.,

**ORIGINAL FOR FILING
IN COURT FILE**

Defendant.

NOTICE OF MEDIATION CONFERENCE


PLEASE TAKE NOTICE that a Mediation Conference has been scheduled before the undersigned Mediator, for **Wednesday, August 30, 2000** beginning at **10:00 a.m.** (8 HOURS RESERVED), at the law offices of Bice, Glenny, Sanders & Reichert, P.L., Oakhurst Professional Park, 1333 S.E. 25th Loop, Suite 101, Ocala, Florida. If a Stipulation to Mediate is entered by the parties, the terms of the engagement herein should be incorporated by reference and considered controlling. In the event a judicial order to mediate is entered, this agreement shall constitute your waiver of any inconsistent terms and acceptance of the following:

1. THE APPEARANCE OF COUNSEL WHO WILL TRY THE CASE AND THEIR CLIENTS (A MANAGEMENT REPRESENTATIVE IF A CORPORATE PARTY) WITH FULL AUTHORITY TO ENTER INTO A FULL AND COMPLETE COMPROMISE AND SETTLEMENT IS MANDATORY. AN INSURED PARTY MUST HAVE A FULLY AUTHORIZED REPRESENTATIVE (NOT THE ATTORNEY) OF THE INSURANCE COMPANY ATTEND THE MEDIATION CONFERENCE.
2. The participants shall be prepared to spend as much time as is necessary to settle the case or until an impasse is declared by the Mediator.

3. The parties shall present a brief written summary of the facts and issue to the Mediator **ONE WEEK** before the Conference. Counsel for corporate parties will state the name and general job description of the employee or agent who will attend and represent the corporate party. The summaries need not be filed in the court file.
4. All discussions, representations and statements made at the Mediation Conference shall be privileged as settlement negotiations, and nothing related to the Conference shall be admitted at trial or subject to discovery.
5. Counsel for Plaintiff is appointed as lead attorney to work with the Mediator and to coordinate the Mediation Conference. In the event it becomes impossible for an attorney to attend the Scheduled Conference, coordination for rescheduling may be done through the lead attorney to the Mediator. The lead attorney is responsible for immediately notifying the Mediator's Office if the case settled prior to the conference.
6. The mediator shall be compensated at a rate of \$195.00 per hour for preparation and mediation, and \$125.00 per hour travel time, plus any expenses for overnight travel. The cost of the mediation shall be borne equally between parties. A two-hour minimum charge will be assessed if mediation is canceled with less than three-days notice. If the fee is not guaranteed by counsel, counsel should collect a \$250.00 deposit from their respective clients and confirm the deposit is available before the scheduled mediation.
7. While it is understood that Ms. Bice's invoice may be subject to reimbursement from your client, or even forwarded to your client for direct payment, please understand this engagement is with your office and has been accepted in reliance upon Ms. Bice's relationship with you and your firm.
8. Correspondence to the Mediator may be directed to Oakhurst Professional Park, 1333 S.E. 25th Loop, Suite 101, Ocala, Florida 34471-1071, her telephone number is (352) 7322-2255; facsimile number is (352) 351-0166.

9. A charge equal to one-half hour shall be assessed as an administrative fee for scheduling, preparation of notices, review of mediation statements, etc.

DATED this ^{11th}~~10th~~ day of July, 2000.



JEAN A. BICE
Florida Certified Circuit Civil
Mediator
Certification No. 123CR
Florida Bar No. 209945
1333 S.E. 25th Loop, Suite 101
Ocala, Florida 34471-1071
(352) 732-2255
Fax: (352) 351-0166

Copies to:

Pamela Bounds Olsen, Attorney for Plaintiff, 2215 S.E. Ft. King Street, Suite A, Ocala, FL 34471; and

Jona J. Miller and John F. Wymer, III, Attorneys' for Defendant, 191 Peachtree Street, Atlanta, GA 30303-1763.