

Rule 9.05 | SCHEDULING THE MEDIATION CONFERENCE

(a) **Report of Lead Counsel:** Not later than twenty-one (21) days after the entry of the order of referral pursuant to Rule 9.04(a), lead counsel shall file a report indicating the agreeable alternate mediation conference dates.

(b) **Scheduling Mediation Conference Date:** Upon receipt of the report of lead counsel, or upon failure of lead counsel to either file the report or secure mutually agreeable mediation conference dates, the Court shall fix the date for the mediation conference by order. Unless otherwise provided by order, the mediation conference shall be conducted in the United States Courthouse.

(c) **Party Attendance Required:** Unless otherwise excused by the presiding judge in writing, all parties, corporate representatives, and any other required claims professionals (insurance adjusters, etc.), shall be present at the Mediation Conference with full authority to negotiate a settlement. Failure to comply with the attendance or settlement authority requirements may subject a party to sanctions by the Court.

(d) **Continuance of Mediation Conference Date:** Subject to the availability of mediation conference space in the Courthouse, the mediator may, with the consent of all parties and counsel, reschedule the mediation conference to a date certain not later than fourteen (14) days prior to the scheduled trial date. Any continuance beyond that time must be approved by the presiding judge.

(e) **Mediation Absent Party Attendance:** Subject to approval of the mediator, the mediation conference may proceed in the absence of a party who, after due notice, fails to be present. Upon the recommendation of the mediator, sanctions may be imposed by the Court on any party who, absent good cause shown, failed to attend the mediation conference.