



Western Division, First Street Courthouse, Los Angeles



NEW MEDIATOR TRAINING

UNITED STATES DISTRICT COURT | CENTRAL DISTRICT OF CALIFORNIA

ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAM

August 23, 2024 | Phyllis W. Cheng, Mediator



Eastern Division, George E. Brown, Jr. Federal Building and
United States Courthouse, Riverside

THE SPEAKER



[Phyllis W. Cheng](#)



Western Division, First Street Courthouse, Los Angeles

INTRODUCTION



1. Overview of the Central District's ADR Program
2. Procedures, Governing Authority, and Forms
3. Using PACER and CM/ECF
4. Resources for Panel Mediators

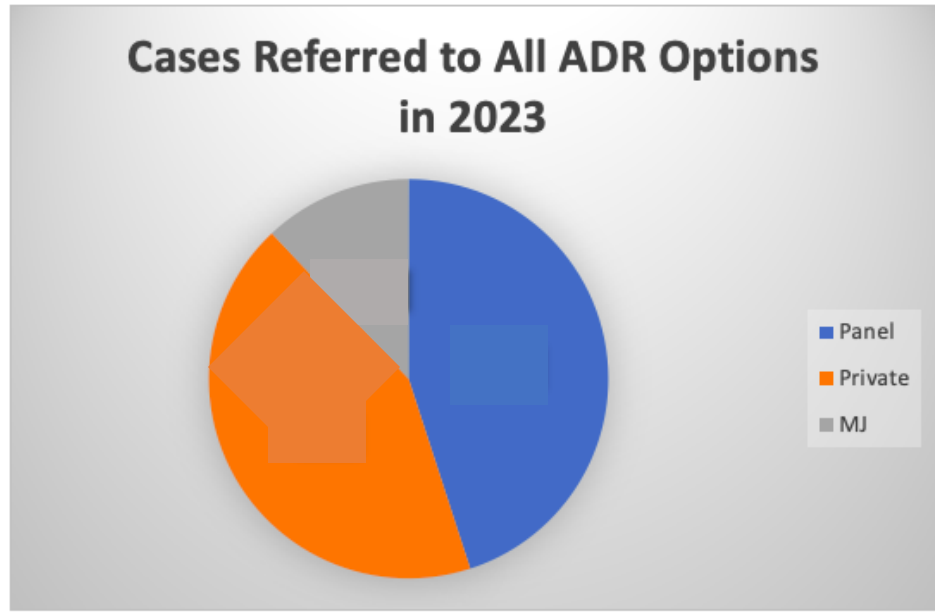


Western Division, First Street Courthouse, Los Angeles



OVERVIEW OF THE CENTRAL DISTRICT'S ADR PROGRAM

CENTRAL DISTRICT REFERRALS TO ALL ADR OPTIONS IN 2023



¹ It is not uncommon for judges to refer the same case to ADR more than once. Sometimes subsequent referral orders are entered in the same year as the original referral, so the number of “referrals” in a year may exceed the number of “cases referred” in that year.

² This number likely undercounts the number of mediations held in any given year. While the ADR Program collects information about mediations held by Mediation Panel Members, not all mediations are reported to the ADR Program Office.

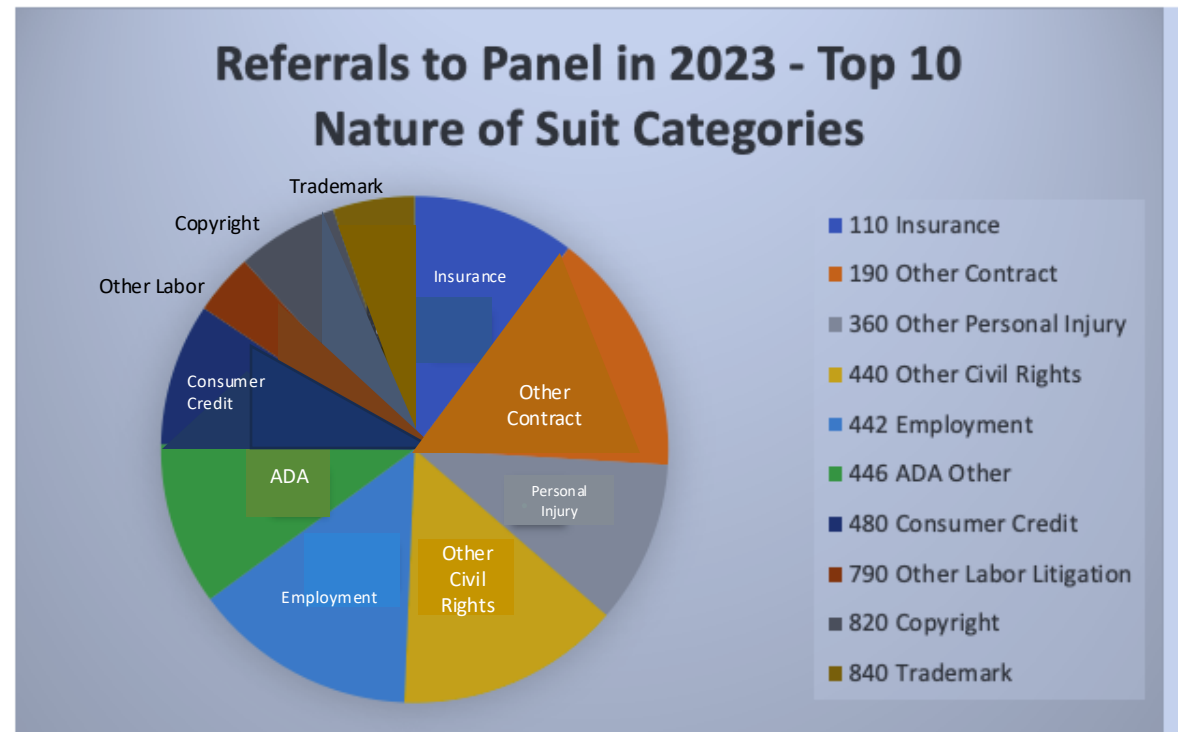
³ Often cases that do not settle at the mediation settle shortly afterward, with follow-up work by the assigned mediator, but current data collection methods do not capture this information in a reportable way.

MEDIATION PANEL PROGRAM STATISTICS



Alternative Dispute Resolution (ADR) Program Statistics January – December 2023

In calendar year 2023, at least 3,123 cases were referred to one of the three ADR options provided in Local Rule 16-15.4. More cases were referred to the Court's Mediation Panel than to either of the other available choices.





ADR PROGRAM STATISTICS 2023

Alternative Dispute Resolution (ADR) Program Statistics January – December 2023

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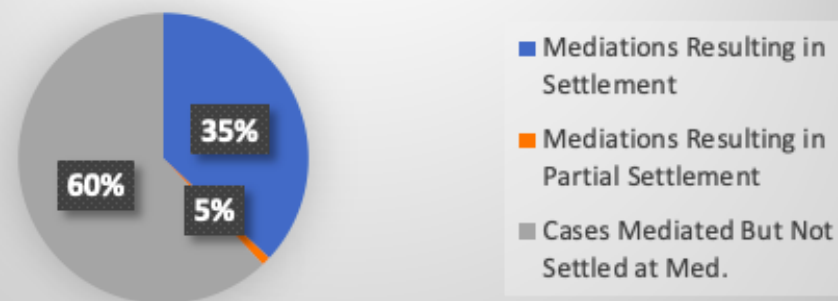
Total referrals¹ in CY2023 to one of the three ADR options provided by Local Rule 16-15.4	3123
Referrals to ADR Procedure No. 1 (Magistrate Judge)	396
Referrals to ADR Procedure No. 2 (Mediation Panel)	1120
Referrals to ADR Procedure No. 3 (Private Mediator)	1607
Cases referred in CY2023 to one of the three ADR options provided by Local Rule 16-15.4	3123
Cases Referred to ADR Procedure No. 1 (Magistrate Judge)	396
Cases Referred to ADR Procedure No. 2 (Mediation Panel)	1120
Cases Referred to ADR Procedure No. 3 (Private Mediator)	1607
Reported Mediation Outcomes for Mediations Held in CY2023²	539
Reported Settled or Partially Settled	214
Reported Not Settled ³	325

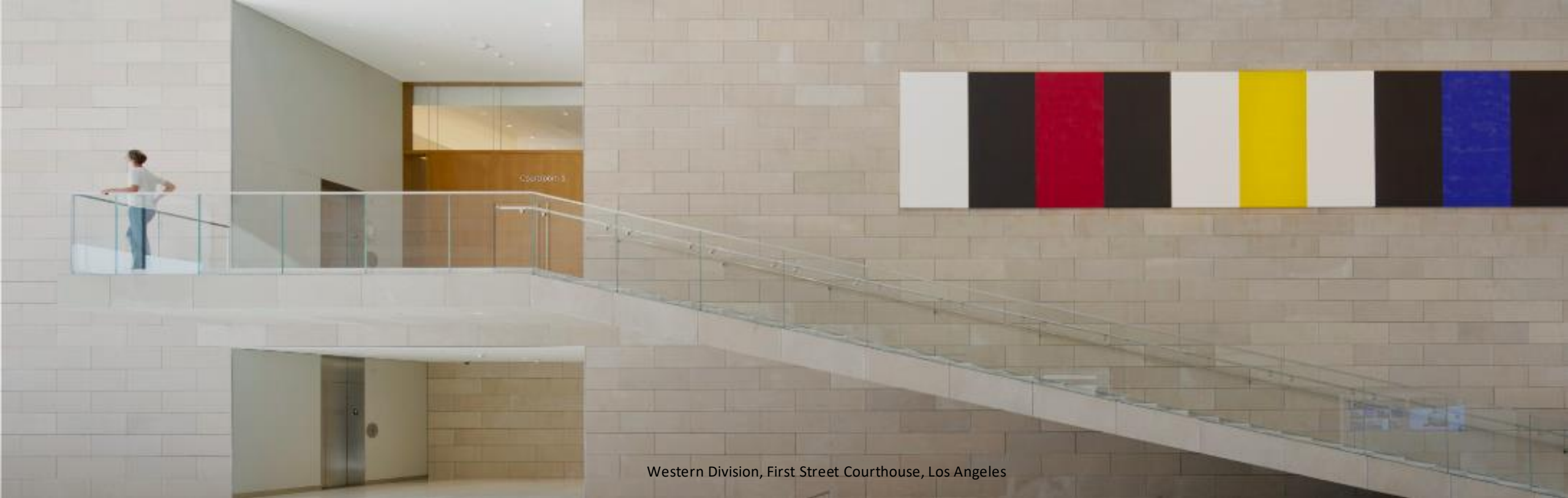


ADR PROGRAM STATISTICS 2023

In 2023, the Central District of California's Mediation Panel was composed of 206 panel members who collectively possessed substantive experience in more than 25 areas of law. Panel mediators conducted at least 539 mediation sessions in calendar year 2023. Of these, 214 sessions were reported to have resulted in settlement or partial settlement, and 325 sessions were reported not to have resulted in immediate settlement, for a settlement rate of 40 percent.

Reported Mediation Outcomes - 2023



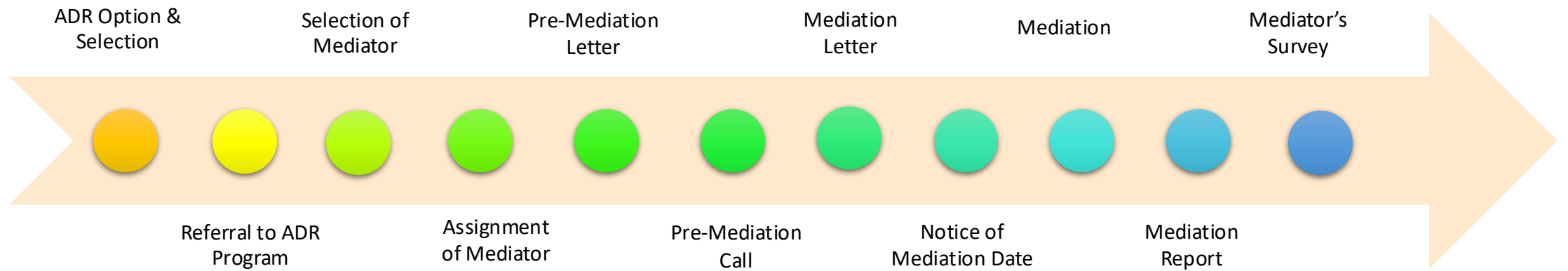


Western Division, First Street Courthouse, Los Angeles



PROCEDURES, GOVERNING AUTHORITY, AND FORMS

ADR PROGRAM CHRONOLOGY



Name, Address and Telephone Number of Attorney(s): CLEAR FORM

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

	CASE NUMBER
v. Plaintiff(s)	
Defendant(s)	REQUEST: ADR PROCEDURE SELECTION



1. ADR OPTIONS AND SELECTION (PARTIES)

There are three ADR options. See [Civil L.R. 16-15.4](#) (Tab 1); [General Order 11-10](#) (Tab 2), and Form [ADR-01](#) (Tab 3).

- 1) ADR Procedure No. 1: settlement conference with the district judge or magistrate judge;
- 2) ADR Procedure No. 2: mediation with a neutral selected from the Court Mediation Panel; or
- 3) ADR Procedure No. 3: private mediation.

Unless exempted, every civil case must participate in one of these three ADR Procedures. [Civil L.R. 16-15.1](#) (Tab 1).

In advance of the Initial Scheduling Conference, parties must advise the Court which ADR Procedure is best suited to their case and when the ADR session should occur. [Civil L.R. 26-1\(c\)](#).

PRACTICE POINTER: Check on [PACER](#) to see that ADR Procedure 2 was selected by the parties under Form ADR-01.

Pursuant to L.R. 16-15, the parties request that the Court approve the following ADR procedure:

- ADR PROCEDURE NO. 1** - The parties shall appear before the magistrate judge assigned to the case *or* the magistrate judge in Santa Barbara for such settlement proceedings as the judge may conduct or direct.
- ADR PROCEDURE NO. 2** - The parties shall appear before a neutral selected from the Court's Mediation Panel.
- ADR PROCEDURE NO. 3** - The parties shall participate in a private dispute resolution proceeding.

Dated: _____
Attorney for Plaintiff _____

Dated: _____
Attorney for Plaintiff _____

Dated: _____
Attorney for Defendant _____

Dated: _____
Attorney for Defendant _____

NOTE: If additional signatures are required, attach an additional page to this request.

Name & Address: CLEAR FORM



2. ORDER/REFERRAL TO ADR PROGRAM (JUDGE)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

<div style="border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between; align-items: center;"> Plaintiff(s) </div> <p style="text-align: center; margin: 5px 0;">v.</p> <div style="border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between; align-items: center;"> Defendant(s) </div>	<p style="font-size: small; margin-bottom: 5px;">CASE NUMBER</p> <div style="border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <hr/> <p style="text-align: center; font-weight: bold; margin: 0;">ORDER/REFERRAL TO ADR</p>
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At or around the time of the scheduling conference, the court will order the case to one of the available ADR options.

The court may or may not order the ADR option that the parties requested.

Many judges use Form [ADR-12](#), Order/Referral to ADR (Tab 4).

This form reminds the parties of their obligations under the program and automates the ADR Program’s data collection for case management and reporting.

The Court, having reviewed the parties’ Request: ADR Procedure Selection (Form ADR-01), the Notice to Parties of Court-Directed ADR Program, or the report submitted by the parties pursuant to Fed. R. Civ. P. 26(f) and L.R. 26-1, hereby:

- ORDERS** this case referred to:
- ADR PROCEDURE NO. 1:** This case is referred to the magistrate judge assigned to the case or the magistrate judge in Santa Barbara for such settlement proceedings as the judge may conduct or direct. Counsel are directed to contact the magistrate judge’s courtroom deputy to arrange a date and time for the ADR proceeding.
 - ADR PROCEDURE NO. 2:** This case is referred to the Court Mediation Panel. Within twenty-one (21) days, plaintiff shall obtain the consent of a neutral on the Court Mediation Panel who will conduct the mediation and shall file Form ADR-2, Stipulation Regarding Selection of Panel Mediator. If the parties have not selected and obtained the consent of a Panel Mediator within twenty-one (21) days, the ADR Program (213-894-2993) will assign one. Forms and a list of the Panel Mediators are available on the Court website, www.cacd.uscourts.gov. Absent extraordinary circumstances, parties cannot request a continuance within three (3) business days of a scheduled mediation.
 - ADR PROCEDURE NO. 3:** This case is referred to private mediation. Counsel are directed to contact the private mediator of their choice to arrange a date and time for the mediation.

IT IS FURTHER ORDERED:

The ADR proceeding is to be completed by:

The parties shall file a joint report no later than seven (7) days after the ADR proceeding regarding the progress of settlement discussions.

The Court sets a further status conference for:

Dated:

United States District Judge/Magistrate Judge

PRACTICE POINTER: Check on PACER to see that the judge’s referral to ADR was made, that ADR Procedure 2 was selected, and that there is a deadline for completing the mediation (you will need to identify the date in the pre-mediation letter to the parties). If the date is not indicated on the order/referral, then search on Pacer for a deadline specified in other court orders. If no mediation deadline is specified, calculate a deadline date that is 45 days before the Final Pretrial Conference. See [Civil L.R. 16-15.2](#). If the referral to ADR Procedure was not made, the Panel mediator cannot act unless the parties stipulate and the court refers the matter to the ADR Panel, or unless the parties elect to retain you as a private mediator.

Name, Address and Telephone Number of Attorney(s):

CLEAR FORM

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE NUMBER:

v. Plaintiff(s)

Defendant(s)

STIPULATION REGARDING
SELECTION OF PANEL MEDIATOR

NOTE: This form should be filed only in cases in which the Court has issued an order of referral to ADR Procedure No. 2, directing the parties to appear before a neutral selected from the Court's Mediation Panel.

CHECK ONLY ONE BOX:

The parties stipulate that name of mediator may serve as the Panel Mediator in the above-captioned case. name of attorney has contacted the Panel Mediator and obtained the Panel Mediator's consent to serve on a *pro bono* basis for three hours. All parties and the Panel Mediator have agreed that the mediation will be held on date and counsel will submit mediation statements seven calendar days before the session.

or

The parties request that ADR Program staff assign a Panel Mediator with expertise in the following area of law: area of law

Dated:

Attorney For Plaintiff

Dated:

Attorney For Plaintiff

Dated:

Attorney For Defendant

Dated:

Attorney For Defendant

Please attach additional sheets if needed to record all signatures, then file electronically using one of two events: "Civil Events => Other Filings => ADR/Mediation Documents => Stipulation Regarding Selection of Panel Mediator (Consent) - (ADR-2)" or "Civil Events => Other Filings => ADR/Mediation Documents => Stipulation Regarding Selection of Panel Mediator (Assigned) - (ADR-2)."



3. STIPULATION REGARDING SELECTION OF MEDIATOR (PARTIES)

If the case is ordered to ADR Procedure No. 2, the parties should select a mediator from the [list of Panel mediators](#).

The parties have initial responsibility for agreeing to a mediator from the Panel list.

They must then contact the chosen mediator to obtain the mediator's agreement to take the case.

If the mediator agrees, the parties should file a stipulation to inform the Court that they have selected their mediator on Form [ADR-02](#), Stipulation Regarding Selection of Mediator (Tab 5). Under [General Order 11-10 § 7.1\(a\)](#), the parties have 21 days to file their stipulation.

The ADR-02 form also asks that the parties indicate the date on which the mediation has been scheduled. If it has already been scheduled, they should include the date, but the parties should not delay filing the stipulation just because they have not yet agreed on a date. They should file the stipulation as soon as possible to inform the Court the mediator has been selected and indicate "TBD" for the date of the mediation if necessary.

In the alternative, using the same Form [ADR-02](#), the parties may request that the ADR Program staff assign a Panel Mediator with expertise in an area of law. If there is no stipulation, the ADR Department will eventually assign a mediator.

4. AUTOMATED SIGN-UP FOR CASES REFERRED TO MEDIATION PANEL (MEDIATOR)

Dear Mediators:

Below is a link to this month’s list of available non-ADA cases. If you choose to sign up for a case, please note that YOU MUST SIGN UP WITH THE EMAIL ADDRESS USED IN YOUR ONLINE PROFILE ON THE COURT’S WEBSITE. If you do not use that email address during the signup process, you will not be able to sign up for any cases at all.

Please note: if you are successful in signing up for a case, you will receive almost immediately an automatically generated confirmation email. If you do not receive a confirmation email, you were probably not successful in signing up for that case (though check your junk/spam folder to be sure). Even if you receive the confirmation email, DO NOT CONTACT THE PARTIES UNTIL YOU RECEIVE NOTICE FROM THE COURT’S CM/ECF SYSTEM THAT THE OFFICIAL NOTICE OF ASSIGNMENT HAS BEEN FILED, WHICH WILL BE JULY 15th.

This list, for this month only, will be sent out at noon today and open to all. Thank you for your patience!

<https://apps.cacd.uscourts.gov/adrSignup/58c38551-fb5e-4749-9265-4c2b5b3dab7f>

Thank you!

Lori Stanton
Administrative Assistant
ADR Program

Non-ADA Cases in Need of Mediators (July 2024)

To volunteer for a case from the list below, click the Sign Up button immediately to the right of the case you want. You will then be asked to provide your email address; **YOU MUST USE THE EMAIL ADDRESS IN YOUR OFFICIAL PROFILE ON THE COURT’S WEBSITE** (www.cacd.uscourts.gov/attorneys/adr/list-panel-mediators) **OR YOU WILL NOT BE ABLE TO SIGN UP FOR ANY CASE.**

Western Division Cases => rows are YELLOW and case numbers start with 2
Southern Division Cases => rows are BLUE and case numbers start with 8
Eastern Division Cases => rows are GREEN and case numbers start with 5

Questions about this list? Call (213) 894-2993 or email ADR_Coordinator@cacd.uscourts.gov.

Mediation Deadline	Nature of Suit	Available Cases	
07/31/2024 (Wed.)	120: Marine	CASE #: 2:22-CV-04468, Atlantic Specialty Insurance Company v. Top Sealand International Co., Limited	Case is no longer available
08/16/2024 (Fri.)	480: Consumer Credit	CASE #: 2:24-CV-02351, Michelle Abandy v. Los Angeles Auto Wholesaler & Recovery Services, Inc.	Case is no longer available
08/27/2024 (Tue.)	442: Employment	CASE #: 2:23-CV-09908, Berta Cifuentes v. Costco Wholesale Corporation et al	Case is no longer available
09/24/2024 (Tue.)	190: Other Contract	CASE #: 2:23-CV-10107, Anna Krendel v. Volkswagen Group of America, Inc. et al AT LEAST ONE PARTY IS PRO SE	Case is no longer available
10/07/2024 (Mon.)	880: Defend Trade Secrets Act (of 2016)	CASE #: 2:23-CV-07734, American Contractors Indemnity Company v. Garen Kasparian et al	Case is no longer available
10/15/2024 (Tue.)	480: Consumer Credit	CASE #: 2:24-CV-00754, Mohammad Bakhtiar v. Equifax Information Services LLC et al	Case is no longer available
12/03/2024 (Tue.)	442: Employment	CASE #: 2:24-CV-01435, Tracy Vega v. BHS Corrugated - North America, Inc. et al	Case is no longer available
12/09/2024 (Mon.)	110: Insurance	CASE #: 5:22-CV-01097, Mark D. Herbert v. Aetna Life Insurance Company et al	Case is no longer available
12/16/2024 (Mon.)	442: Employment	CASE #: 5:23-CV-02457, Flor Gutierrez v. Amazon.com Services LLC et al	Case is no longer available
12/23/2024 (Mon.)	480: Consumer Credit	CASE #: 5:23-CV-02423, Abel A. Rodriguez v. Adir International, LLC et al	Case is no longer available
12/31/2024 (Tue.)	440: Other Civil Rights	CASE #: 5:23-CV-02345, Ronnie D. Mixon v. State of California et al	Case is no longer available
01/09/2025 (Thu.)	190: Other Contract	CASE #: 8:24-CV-00353, Sagebrush LLC v. Cigna Health and Life Insurance Company et al	Case is no longer available
01/17/2025 (Fri.)	365: Personal Injury-Product Liability	CASE #: 2:23-CV-08027, Carol Rubenstein v. Nutribullet L.L.C. et al	Case is no longer available

Practice Pointer:
Read your e-mails.
Check for conflicts on
Pacer and in your own
records. Sign up.





5. ASSIGNMENT OF MEDIATOR (JUDGE OR ADR PROGRAM)

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA	
Plaintiff(s),	CASE NUMBER:
Defendant(s).	NOTICE OF ASSIGNMENT OF PANEL MEDIATOR

OR

is assigned to serve as the Panel Mediator in this case, pursuant to:

— Stipulation of the parties. — Assignment by ADR Program staff.

Mediation must be completed as ordered by the assigned judge. If no date is set by the assigned judge, mediation must be completed at least forty-five days prior to the final pretrial conference, consistent with Local Rule 16-15.2.

Counsel: You must familiarize yourself with General Order No. 11-10 ("GO 11-10"), which governs the ADR Program. Each party must appear at the mediation in person or by a representative with final authority to settle the case and must be represented at the mediation by the attorney expected to try the case. GO 11-10, §§ 8.5, 8.6. If the mediator requires written mediation statements (GO 11-10, § 8.4), send them directly to the mediator – DO NOT file written mediation statements with the Court. Note that neither the mediator nor ADR Program staff may extend the mediation deadline; "[a]ny continuance of the mediation beyond the completion date ordered by the judge or set by local rule must be approved by the assigned judge." GO 11-10, §8.3.

Mediators: Within 30 days of the date of this Notice, you must communicate with counsel to set the date, time, and place of the mediation. GO 11-10, §8.1. As soon as the mediation date has been set, you must electronically file a completed Notice of Mediation Date (Form ADR-13). GO 11-10, §§ 8.1, 8.2. After the mediation, you must (1) electronically FILE a completed Mediation Report (Form ADR-03) and (2) return by email to ADR Program staff (DO NOT FILE) the Mediation Confidentiality Agreement (Form ADR-17). GO 11-10, §§ 8.8, 8.9. If the parties do not cooperate in scheduling a mediation, or if a mediation becomes unnecessary because the case settles before the session occurs, you must file a completed Mediation Report (Form ADR-03) to report that information. GO 11-10, §8.9.

GO 11-10, all ADR forms, and procedures for reserving courthouse facilities for mediations are available on the ADR page of the Court's website at www.cacd.uscourts.gov/attorneys/adr.

Dated: _ _ By: _ _

Once a mediator has been selected, either by the parties or by the ADR Department, a formal assignment is made by the judge or the ADR Program.

The assignment is made by filing Form ADR-11, Notice of Assignment of Panel Mediator (Tab 6) (not available on CACD Web site).

When the Notice of Assignment is filed the mediator is added to the docket in the case.

The mediator's formal assignment means the mediator has agreed to give preparation time and 3 hours of mediation on a pro bono basis. If a mediator ever needs to withdraw from a case after being assigned, the mediator must let the ADR Program know as soon as possible.

The assigned mediator must contact the parties within 30 days of the assignment.

PRACTICE POINTER: The mediator must have [PACER](#) access and keep his/her account information up-to-date. Notice of the filing of the Notice of Assignment will be sent only by the Court's [CM/ECF](#) System.



6. PRE-MEDIATION LETTER (TAB 7) (MEDIATOR)

SAMPLE LETTER NO. 1: OPENING LETTER

- **Phone conference before mediation**
- **Conflicts of interest**

Re: Case Name and Case Number

Dear Counsel:

As you know, the Court has assigned me to serve as Mediator in this case under the Central District's ADR Program.

I will conduct an initial phone conference with all counsel before the mediation to discuss the following:

- the procedures to be followed;
- the nature of the case;
- appropriate dates for the mediation and anticipated length of the session;
- the parties who will be present at the session and who must be present according to Civil L.R. 16-15.5(b);
- the parties who need to be present to have a productive mediation;
- ideas to improve the effectiveness of the mediation or matters that could impose impediments;
- requirements for your written mediation statements;
- any questions you might have about how I normally conduct mediations; and
- any questions you might have about the court's ADR program.

I anticipate that the initial telephone conference will last approximately twenty minutes. **I have set the telephone conference for [date and time]. Please 'reply to all' or call my office within 24 hours after receiving this letter to confirm your availability. If you are not available, please let opposing counsel and me know alternative times within a week of this date when you are available.** Before the telephone conference, please ascertain from your clients and any insurers a selection of dates upon which the mediation may be conducted. The final date that the mediation can be held is [date], based on the current scheduling order.

[WHEN NO CONFLICTS:

My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. §§ 455(a) and (b), and I am not aware of any other circumstances that would compromise my impartiality or the appearance of impartiality.]

[TO DISCLOSE WAIVEABLE CONFLICTS:

EXAMPLE: In the interest of full disclosure under 28 U.S.C. § 455(a), I wish to advise you of two matters that came to my attention after a check for potential conflicts of interest. Several years ago I represented [the defendant] in a matter that was resolved on my motion for summary judgment. Neither I nor anyone in my firm has since represented [the defendant].

Also, [attorney for the defendant] currently represents another defendant in a case in which one of my partners represents the plaintiff. I have no involvement in that case.

I do not believe that either of these matters would prevent me from serving as an unbiased Mediator in this case, and I do not understand them to require automatic disqualification under 28 U.S.C. § 455(b). If these matters cause you or your clients concern about my ability to serve impartially, you should communicate your objection in writing to the ADR Program within ten (10) calendar days of receiving this letter (e-mail)].

[TO ADDRESS DOWNSTREAM CONFLICTS OF INTEREST:

To further facilitate full and candid disclosure in the ADR process, I commit to the following restrictions. I will not disclose to anyone else confidential information disclosed to me in the ADR process, and in particular I will not discuss such information with other attorneys in my firm, absent express authorization to do so by the disclosing party. I will not accept an engagement in the future to serve as a lawyer if I have received confidential information from you or your clients that would be material to that engagement as a lawyer. Nor will I participate in any case (related or unrelated to the subject of this settlement proceeding) involving a party to this mediation during my engagement as a neutral.

These restrictions are personal to me and do not apply to any of the other lawyers in my firm. For example, another lawyer in my firm would not be precluded by my service as a neutral from accepting an engagement adverse to any party to the mediation before, during, or after the mediation [though, where appropriate, I may be screened from any contact with that other matter.] I am sure that you understand that I would not be able to accept service as a neutral on any other basis.]

I look forward assisting you on this case.

Sincerely yours,

cc: ADR Program

Note: Please remember to copy the ADR Program on this email or letter. When the date for the mediation is chosen, please be sure to write a confirming email or letter and copy the ADR Program. See Sample Letter No. 2 – Memorializing the Phone Conference and Confirming the Session Date.

PRACTICE POINTER: Check the docket on [PACER](#) to ensure that all current counsel receive the letter. Download the docket, operative complaint, joint report, stipulation, assignment, and any other orders or pleadings you find helpful. Send the e-mail and calendar invitation right away. Even if you need to reschedule the meeting, do not let the pre-mediation meeting date languish.

7. PRE-MEDIATION CALL (TAB 8) (MEDIATOR)



1. Introduce yourself.
2. Disclose any conflicts.
3. Disclose fees and your hourly rate after 3 pro bono hours.
4. Discuss the signing requirement of the Mediation Confidentiality Agreement.
5. Discuss the points set forth in the pre-mediation letter, including:
 - the procedures to be followed;
 - the nature of the case;
 - appropriate dates for the mediation and anticipated length of the session;
 - the parties who will be present at the session and who must be present according to Civil L.R. 16-15.5(b);
 - the parties who need to be present to have a productive mediation;
 - ideas to improve the effectiveness of the mediation or matters that could impose impediments;
 - requirements for your written mediation statements;
 - any questions you might have about how I normally conduct mediations; and
 - any questions you might have about the court's ADR program.
6. Review other discussion points under Tab 8.

PRACTICE POINTER:

- Ask whether there is insurance coverage. If so, ask for the adjuster to attend (especially on Zoom).
- Ask whether the parties will exchange mediation briefs.
- Ask plaintiff to break out plaintiff's opening demand in plaintiff's brief.
- Whether the parties exchange briefs or not, in order to minimize surprise, ask plaintiff to inform defendant of plaintiff's opening demand (without a breakout) in advance of the mediation. Determine that deadline.
- In order to minimize surprise, ask defendant to forward a blank settlement agreement template to plaintiff in advance of the mediation. Determine that deadline.
- Ask if there are any accommodation needs (i.e., translator, accessibility, etc.)
- Offer to speak with either side in confidence prior to the mediation.



8. NOTICE OF MEDIATION DATE (TAB 10) (MEDIATOR)

[CLEAR FORM](#)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Plaintiff(s) v. Defendant(s)	CASE NUMBER: NOTICE OF <input type="checkbox"/> MEDIATION DATE <input type="checkbox"/> AMENDED MEDIATION DATE
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INSTRUCTIONS: This form should be filed only in cases in which the Court has issued an order of referral to ADR Procedure No. 2, directing the parties to appear before a neutral selected from the Court's Mediation Panel. The assigned Panel Mediator must file this Notice electronically using the following event: "Civil Events => Other Filings => ADR/Mediation Documents => Notice of Mediation Date (ADR-13)."

YOU ARE HEREBY NOTIFIED THAT THE PANEL MEDIATOR HAS
 SCHEDULED RESCHEDULED
A MEDIATION IN THE ABOVE-CAPTIONED CASE

for _____ at _____ a.m. / p.m.

LOCATION: _____

The mediation session must be completed and an ADR-03 Mediation Report must be filed on or before the Court-ordered completion date.

Continuances are not favored and may only be granted by the Panel Mediator up to the Court-ordered completion date. Absent extraordinary circumstances, parties may not request a continuance within three business days of a scheduled mediation. Be advised that the Panel Mediator is required to report to the Court after the mediation session as to whether the parties appeared at the mediation as required by Local Rule 16-15.5(b). General Order No. 11-10, § 8.9.

Dated: _____	Panel Mediator: _____	}
	Address: _____	
	Phone: _____	
	Email: _____	

ADR-13 (06/20) NOTICE OF MEDIATION DATE Page 1 of 1

Once the mediation has been scheduled, the mediator gives notice to the Court and the parties.

The mediator should send a letter or email to the parties confirming the date of the mediation. See Sample Letter No. 2 (Tab 9). This letter should also confirm the deadline for submitting mediation statements and cover the issue of fees.

Unless the parties stipulated to the mediator and the mediation date was included in the stipulation, the mediator should electronically file Form [ADR-13](#), Notice of Mediation Date (Tab 10) in the case. If the mediation date changes, file an Amended Notice of Mediation Date using the same form.

The mediation must be completed by the deadline set by the assigned judge. If no deadline is set, the mediation should be completed 45 days before the Final Pretrial Conference. Neither the mediator nor ADR Department has the authority to extend the mediation deadline set by the judge. Any extensions must be approved by the judge, and many of our judges will not approve requests to extend.

PRACTICE POINTER: In order to upload to [CM/ECF](#), note that the PDF must be in a format that cannot be altered.



9. MEDIATION LETTER (TAB 10) (MEDIATOR)

SAMPLE LETTER [EMAIL] NO. 2: MEMORIALIZING PHONE CONFERENCE AND CONFIRMING DATE OF MEDIATION

- *Date of Mediation*
- *Requirements for Mediation Statements*
- *Preparation for Mediation*
- *Fee (optional)*

Re: Case Name and Case Number

Dear Counsel:

This will confirm that we have scheduled the mediation in this case for *[date]*. We will meet at *[location]* beginning at *[time]*.

As we discussed, *[name(s) of client(s)]* will appear as plaintiff's representative(s) and *[name(s) of client(s)]* will appear as defendant's representative(s). *[Name(s) of claims person]*, representative of *[name]* Insurance Company, will also attend. Please let me and all counsel know as soon as possible if there are any changes in who will participate in the mediation.

Please make sure that the mediation statements described in General Order 11-10, § 8.4, are in my office by *[date]*. *[Email submission][or hard copies]* are preferred. Please include any key documents you feel I should read.

I strongly encourage you to review the following questions with your clients in advance of our session.

- What would you like to accomplish at this mediation, and what does the Mediator need to understand to help you accomplish your goals?
- What needs of your clients must be met in order for a resolution to be reached?
- What needs of the opposing party must be met in order for a resolution to be reached?
- What do you see as the obstacles to a negotiated resolution, and what ideas do you have to overcome them?
- What are the consequences for each side if no settlement is reached?
- What is your estimated budget to litigate this case through trial?

[If you plan to charge:] As we discussed, I will donate my preparation time and the first three hours of the mediation. If the case has not resolved and you all agree to continue, I will charge my hourly rate of \$___. Counsel agreed during our pre-session conference call that, if the mediation continued beyond three hours, the parties would divide equally my mediation fee.

Finally, I enclose a copy of the court's standard confidentiality agreement which I will ask everyone in attendance to sign at the beginning of the session. Please contact me right away if you have questions or concerns about this form.

I look forward to working with you and your clients.

Sincerely yours,

cc: ADR Program

Note: Please remember to copy the ADR Program on this email or letter.

PRACTICE POINTER:

- Memorialize whether the parties will or will not exchange mediation briefs.
- Memorialize that plaintiff will break out plaintiff's opening demand in plaintiff's brief.
- Memorialize that plaintiff will inform defendant of plaintiff's opening demand (without a breakout) in advance of the mediation by an agreed-upon deadline.
- Memorialize that defendant will forward a blank settlement agreement template to plaintiff in advance of the mediation by an agreed-upon deadline..
- If mediation is by Zoom, ask for return of the signed mediation (digital signature acceptable) before the session.
- Memorialize any accommodation needs (i.e., translator, accessibility, etc.)
- Offer to speak with either side in confidence prior to the mediation.
- Note that in the case of lawsuits brought against the United States or any of its agencies, the U.S. Attorney's Office need not include clients in the mediation. ([General Order 11-10](#), rule 8.5) All other parties must include clients in the mediation, unless it is impossible to do so (i.e., incarceration, hospitalization) and counsel can be in touch with clients.



10. MEDIATION CONFIDENTIALITY AGREEMENT (TAB 12) (MEDIATOR)

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA	
	CASE NUMBER: [Redacted]
Plaintiff(s) v. Defendant(s).	MEDIATION CONFIDENTIALITY AGREEMENT

PANEL MEDIATOR MUST RETURN A COPY OF SIGNED AGREEMENT TO THE ADR PROGRAM OFFICE BY EMAIL TO ADR_COORDINATOR@CACD.USCOURTS.GOV. DO NOT FILE WITH THE COURT.

Consistent with Central District of California L.R. 16-15, General Order 11-10, related Federal Rules of Evidence and to the extent applicable, California Evidence Code Sections 703.5 and 1115-1129, the participants in mediation in the above-captioned case agree that:

1. No written or oral communication made by any party, attorney, mediator or other participant in a mediation in the above-named case may be used for any purpose in any pending or future proceeding unless all parties, including the mediator, so agree.
2. The parties agree that evidence admissible or subject to discovery or disclosure shall not be inadmissible or protected from disclosure solely by reason of its introduction or use in the mediation. Disclosure of information that otherwise is privileged shall not alter its privileged character.
3. The parties shall not subpoena the mediator or any documents submitted to or prepared by the mediator in connection with or during the mediation. The mediator shall not testify voluntarily on behalf of a party.
4. This agreement shall not preclude the reporting of information to the Central District of California ADR Program Office pursuant to General Order 11-10.
5. In an action or proceeding to enforce a settlement, this agreement shall not render inadmissible a written settlement agreement, or a settlement placed on the record, reached as a result of the mediation.

DATE OF MEDIATION: [Redacted]

Print Name [Redacted]	Print Name [Redacted]
Signature [Redacted]	Signature [Redacted]
Email address [Redacted]	Email address [Redacted]
Describe Role in Mediation [Redacted]	Describe Role in Mediation [Redacted]
Date Signed [Redacted]	Date Signed [Redacted]

At or before the mediation, the mediator should have every individual planning to attend the mediation sign a form [ADR-17](#), Mediation Confidentiality Agreement (Tab. 12).

This form SHOULD NOT BE FILED.

The signed form SHOULD BE E-MAILED TO THE PARTIES AND THE ADR PROGRAM AFTER THE MEDIATION.

PRACTICE POINTER: If mediation is on Zoom or other remote methods, electronic signatures should be acceptable. In addition, counsel may sign for clients if they are authorized to do so. (Cal. Code Civ. Proc. § 664.6(b).).

Post-mediation, filing the Mediation Confidentiality Agreement is important for evaluation of the mediation and the mediator, because the ADR Program can identify the parties who actually participated in the mediation to provide such feedback.



11. MEDIATION (TAB 11) (MEDIATOR)

U.S. DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

OUTLINE FOR INTRODUCTION TO MEDIATION SESSION

I. INTRODUCTIONS

- A. Introduce yourself.
- B. Have attorneys and parties introduce themselves.
- C. If you intend to use first names, ask if this is okay.
- D. Mention that you've had one (or more) preliminary telephone conference(s) with the lawyers and have made various agreements on the process to be used at the session. Explain that you'll be reviewing these before you begin and that now is the time to make any necessary procedural adjustments.
- E. Set the tone -- make a statement of encouragement/optimism
- F. In your own style, personalize your introduction to make it relevant to each case, in order to use the introduction to begin creating an effective, working relationship with the parties and counsel.

II. DESCRIBE THE MEDIATION PROCESS

- A. Mediator's role
 1. will work with the parties to help them devise a solution acceptable to them
 2. will help promote communication, clarify issues, generate options, reality test
 3. will not decide (non-binding -- contrast with arbitration and trial)
- B. Role of parties and lawyers -- Set forth your expectations as to the involvement of the parties themselves and of the lawyers
- C. Structure of session
 1. begin with joint session, presentations by counsel and/or parties
 2. may continue in joint session if productive
 3. will at some point have private caucuses with the various sides; may have private caucuses with one or more of the attorneys without clients
 - a. may spend different amounts of time with different parties -- this is not significant
 - b. they may request a private caucus at any time
 4. will probably come back together in joint session before concluding
- D. Confidentiality -- two levels
 1. Within mediation -- absent stipulation to the contrary, Confidentiality Acknowledgment that they have just signed prohibits:
 - a. using mediation communications for any purpose outside the mediation session
 - b. disclosure to outsiders or press

- c. disclosure to the assigned judge
2. Within private caucus --set forth your rules concerning the maintenance of confidences

Example: *"I will hold in confidence anything you tell me in a private caucus, but you must identify the material to be kept confidential as such. Otherwise, I will assume that whatever you tell me may be revealed to the other parties as I deem appropriate. I will try to review with you at the conclusion of each private caucus whether there is any material you wish to be kept confidential."*

- E. Describe what will happen when (if) an agreement is reached
 1. Basic terms outlined and signed today by parties and counsel
 2. More formal agreement drawn up later
 3. Need to be patient with this part of process; there is a push to leave as soon as an agreement is reached, but agreements can fall apart if inadequate attention is paid to the concluding phase

III. BIAS/CONFLICTS OF INTEREST

- A. No personal stake in outcome
- B. No knowledge of dispute other than papers submitted
- C. No prior relationships or conflict of interest OR review conflicts previously disclosed and confirm agreement that you may serve

IV. COMPENSATION -- Confirm that you will either:

- A. serve *pro bono* or
- B. charge your regular hourly rate (or any other rate to which all parties agree) after three session hours -- note that parties can choose whether to continue after the first three hours (in fact, parties may choose to leave at any time).

V. LOGISTICS

- A. Length of session, including planning for a food break, as appropriate
- B. Coffee, cell phones on 'vibrate' or 'off,' restrooms, etc.
- C. Sign court approved confidentiality agreement/acknowledgment (*see* court form).

VI. ANY QUESTIONS?

PRACTICE POINTER: Mediation style is highly individualistic. No two mediators do it the same way. Be authentic and true to yourself. Take notes and keep a thorough record.



12. MEDIATION REPORT (TAB 13) (MEDIATOR)

Name, Address and Telephone Number of Attorney(s): CLEAR FORM

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

	CASE NUMBER
v. Plaintiff(s)	
Defendant(s)	MEDIATION REPORT

Instructions: The mediator must file this Report within 5 days after the conclusion of a mediation session even if the negotiations continue. If the case later settles with the assistance of the mediator, the mediator must file a subsequent Report.

- A mediation was held on (date): _____

 A mediation did not take place because the case settled before the session occurred.
- The individual parties and their respective trial counsel, designated corporate representatives, and/or representatives of the party's insurer:
 - Appeared as required by L.R. 16-15.5(b).
 - Did not appear as required by L.R. 16-15.5(b).
 - Plaintiff or plaintiff's representative failed to appear.
 - Defendant or defendant's representative failed to appear.
 - Other: _____
- Did the case settle?
 - Yes, fully, on _____ (date).
 - Yes, partially, and further facilitated discussions are expected. (See No. 4 below.)
 - Yes, partially, and further facilitated discussions are **not** expected.
 - No, and further facilitated discussions are expected. (See No. 4 below.)
 - No, and further facilitated discussions are **not** expected.
- If further facilitated discussions are expected, by what date will you check in with the parties?

Dated: _____

Signature of Mediator

Name of Mediator (print)

The Mediator must electronically file original document in CM/ECF using one of four choices under "Civil => Other Filings => ADR/Mediation Documents => Mediation Report (ADR-3)."

ADR-03 (10/19) MEDIATION REPORT Page 1 of 1

Immediately after the mediation, the mediator should return the ADR-17 (see slide 19) Mediation Confidentiality Agreement to the ADR Program Office by e-mail to ADR_Coordinator@cacd.uscourts.gov. This report SHOULD NOT BE FILED. Also, please do not send the form to the ADR Program Office BEFORE the mediation.

Within 5 days of the mediation, the mediator should electronically file a completed Form [ADR-03](#), Mediation Report (Tab 13). This report should be filed regardless of whether the case settles at the mediation. No substantive details should be included in the report, just the end result.

If the case does not settle at mediation, but settles later with the assistance of the mediator, the mediator should file another ADR-03, Mediation Report.

PRACTICE POINTER: In order to upload to [CM/ECF](#), note that the PDF must be in a format that cannot be altered.



13. MEDIATOR'S SURVEY (MEDIATOR)



Mediator's Survey

*** Please enter the following information as it appears in the email invitation we sent you.**

Case Year (i.e. 12 for 12-cv-0123 JSW)

Case Number (i.e. 00123 for 12-cv-00123 JSW)

Judge's Initials (i.e. JSW for 12-cv-00123 JSW)

Your Name

Next

Immediately after the mediation, complete the online [Mediator's Survey](#).

The survey will be reviewed by the ADR Program. The data gathered will inform the ADR Program on ways to improve the program.

The survey data may be helpful to the court and the federal court system in shaping ADR programs.



Western Division, First Street Courthouse, Los Angeles



USING PACER AND CM/ECF



Western Division, First Street Courthouse, Los Angeles



HOW TO ACCESS A CASE DOCKET ON PACER (TAB 17) (MEDIATOR)



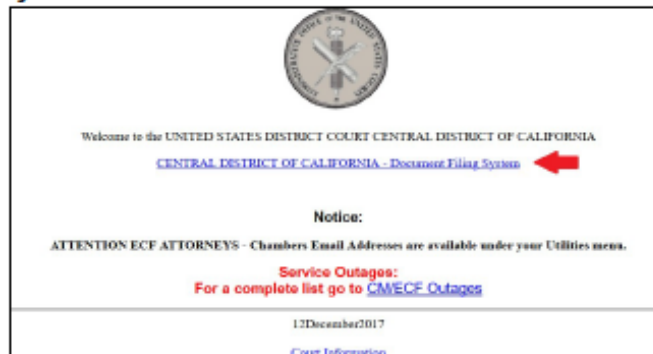
HOW TO ACCESS A CASE DOCKET ON PACER (TAB 17) (MEDIATOR)

United States District Court, Central District of California Cheat Sheet for Mediators How to Access a Case Docket on PACER

1. Log in to PACER (if you're already logged in, skip to step 5). Follow (and bookmark) this link: ecf.cacd.uscourts.gov. Or, from the homepage of the Central District of California's website (www.cacd.uscourts.gov), click on the link to access **CM/ECF**:



2. On the next screen, click the "CENTRAL DISTRICT OF CALIFORNIA - Document Filing System" link.



3. Login with your **PACER** username and password. **YOU MUST PUT IN A CLIENT CODE**, but it makes absolutely no difference what you put in that field. We do not track it and will never see it. You may use your own client code or file number, if you have one, or you may just enter "ADR."

The image shows a login form with the following fields: Username, Password, and Client Code. There are Login and Clear buttons. Below the form, there are links for "Forgot password?", "Forgot username?", and "Need an account?". A notice at the bottom states: "NOTICE: This is a restricted government website for official PACER use only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged."

4. You may see a dialog box pop up about the "Redaction Agreement." If you do, check the box and then click "Continue."

The image shows a "Redaction Agreement" dialog box with the following text: "IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and in criminal cases, home addresses in compliance with Fed. R. App. P. 25(a)(5), Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, or Fed. R. Bankr. P. 9037. This requirement applies to all documents, including attachments." Below the text is a checkbox with the text "I understand that, if I file, I must comply with the redaction rules. I have read this notice." A red arrow points to the checkbox. Below the checkbox are "Continue" and "Cancel" buttons. The "Continue" button is circled in red.



HOW TO ACCESS A CASE DOCKET ON PACER (TAB 17) (MEDIATOR) (CONT.)

5. You are now logged in. Click **“Query”** in the menu bar at the top of the screen.



6. On the next screen, enter a case number and click **“Find This Case.”**

7. You may be shown several possible case choices. In this example, there is a case in every division with this case number. Select the one you want, then click **“Run Query.”**

Note that, if you don't have a case number, you can also use this form to search by name.



HOW TO ACCESS A CASE DOCKET ON PACER (TAB 17) (MEDIATOR) (CONT.)

8. Before clicking "Run Query," check to make sure that your search will not be charged to you. Just below the "Run Query" button, you should see the following:

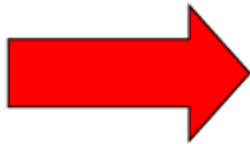
02:0437 (02:437 Federal Election Commission)

Last/Business Name Exact matches only

First Name Middle Name

Type

PACER fee: Exempt Court Order [Change](#)



If this line does not say "Exempt Court Order," you will be charged for the search. Before proceeding, click "Change" to toggle between PACER use that will be charged to your private account ("Not Exempt") and fee-exempt PACER use for your Panel cases.

9. On the next screen, click "Docket Report." (Note that you may see fewer choices on this page than shown below, but you should have the "Docket Report" option.)

CM ECF Civil Criminal Query Reports Utilities Search Help What's New Log Out (Jennifer Cummings)

8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al
Josephine L. Staton, presiding
Autumn D. Spaeth, referral
Date filed: 10/01/2019
Date of last filing: 07/02/2020

[Mobile Query](#)

Query

- [Alias](#)
- [Associated Cases](#)
- [Attorney](#)
- [Calendar - Monthly...](#)
- [Case Assignment](#)
- [Case File Location...](#)
- [Case Summary](#)
- [Corporate Parents](#)
- [Deadlines/Hearings...](#)
- [Docket Report...](#)
- [Eilers](#)
- [History/Documents...](#)
- [Judge](#)
- [Party](#)
- [Motions Report...](#)
- [Related Transactions...](#)
- [Speedy Trial](#)
- [Status](#)
- [View a Document](#)



10. On the next screen, you may simply click "Run Report," or you may first adjust any of the parameters shown. For instance, you may choose to sort by "Most recent date first," rather than by "Oldest date first," so newer filings appear at the top of the docket rather than the bottom.

CM ECF Query Reports Utilities Help Log Out

Docket Sheet

Case Number
8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al

Filed to 7/7/2020

Entered

Documents to

Go to Document or PageID

Include: Parties and counsel Terminated parties List of member cases

Format: HTML (unpaginated) PDF (paginated)

Sort By: Oldest date first

PACER fee: Exempt

10. The Docket for the selected case will be displayed on the next screen.



Southern Division, Ronald Reagan Federal Building,
U.S. Courthouse, Santa Ana



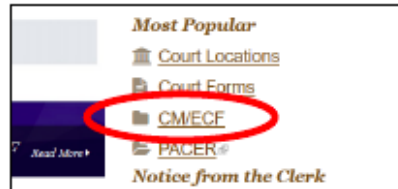
HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR)



HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR)

United States District Court, Central District of California Cheat Sheet for Mediators How to E-File a Mediation Report (ADR-3)

1. Prepare form ADR-3 for filing. Be sure to “flatten” the completed form before filing it by “printing” the form to pdf. (In other words, don’t upload a form that still has the fillable fields in editable form.)
2. Log in to PACER (if you’re already logged in, skip to step 6). Follow (and bookmark) this link: ecf.cacd.uscourts.gov. Or, from the homepage of the Central District of California’s website (www.cacd.uscourts.gov), click on the link to access **CM/ECF**:



3. On the next screen, click the “**CENTRAL DISTRICT OF CALIFORNIA - Document Filing System**” link.

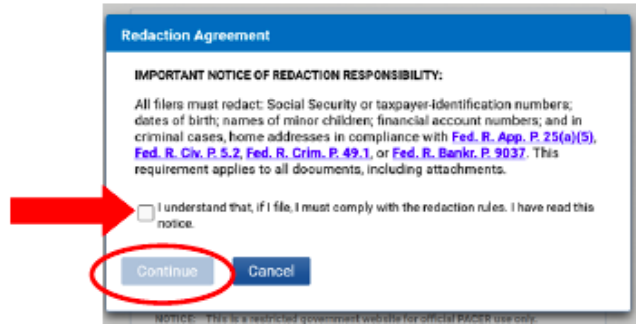


4. Login with your **PACER** username and password. **YOU MUST PUT IN A CLIENT CODE**, but it makes absolutely no difference what you put in that field. We do not track it and will never see it. You may use your own client code or file number, if you have one, or you may just enter “ADR.”



HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR) (CONT.)

5. You may see a dialog box pop up about the "Redaction Agreement." If you do, check the box and then click "Continue."



6. You are now logged in. Click "Civil" in the menu bar at the top of the screen.



6. You are now logged in. Click "Civil" in the menu bar at the top of the screen.



7. On the next screen, under "Other Filings," select "ADR/Mediation Documents."



8. On the next screen, enter the case number and click "Find This Case."





HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR) (CONT.)

9. You may be shown several possible case choices. In this example, there is a case in every division with this case number. Select the one you want, then click "Next."

CM ECF Civil Criminal Query Reports Utilities Search Help What's New Log Out

ADR/Mediation Documents

Civil Case Number
19-cv-1891 Hide Case List

Select a case:

- 2:19-cv-01891-JFW-SS Lamar Myers v. SG Xiao May Restaurant, Inc., et al (closed 07/17/2019)
- 5:19-cv-01891-JGB-SP Janine Thomas v. Empire Springs Charter School
- 8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al

NEXT Clear

10. On the next screen, confirm the case name and number, and click "Next."

CM ECF Civil Criminal Query Reports Utilities Search Help What's New Log Out

ADR/Mediation Documents

8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al

ACCO
(ADSx),DISCOVERY,MANADR

NEXT Clear

11. On the next screen, select one of the four possible choices for filing a mediation report, according to the outcome of the mediation, and then click "Next":

- Mediation Report (ADR-3) Completely Settled
- Mediation Report (ADR-3) Not Held – Settled
- Mediation Report (ADR-3) Partially Resolved
- Mediation Report (ADR-3) Unable to Reach Agreement

CM ECF Civil Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

2:20-cv-00020 Bonaparte v. Wellesley

ACCO

Selected Event
Mediation Report (ADR-3) Unable to Reach Agreement

Mediation Report (ADR-3) Completely Settled
Mediation Report (ADR-3) Not Held - Settled
Mediation Report (ADR-3) Partially Resolved
Mediation Report (ADR-3) Unable to Reach Agreement

Request for ADR Procedure No. 1 - (ADR-1)
Request for ADR Procedure No. 2 - (ADR-2)
Request for ADR Procedure No. 3 - (ADR-3)
Request for ADR Procedure No. 4 - (ADR-4)
Request for ADR Procedure No. 5 - (ADR-5)
Request for ADR Procedure No. 6 - (ADR-6)
Request for ADR Procedure No. 7 - (ADR-7)
Request for ADR Procedure No. 8 - (ADR-8)
Request for ADR Procedure No. 9 - (ADR-9)
Request for ADR Procedure No. 10 - (ADR-10)
Request for ADR Procedure No. 11 - (ADR-11)
Request for ADR Procedure No. 12 - (ADR-12)
Request for ADR Procedure No. 13 - (ADR-13)
Request for ADR Procedure No. 14 - (ADR-14)
Request for ADR Procedure No. 15 - (ADR-15)
Request for ADR Procedure No. 16 - (ADR-16)
Request for ADR Procedure No. 17 - (ADR-17)
Request for ADR Procedure No. 18 - (ADR-18)
Request for ADR Procedure No. 19 - (ADR-19)
Request for ADR Procedure No. 20 - (ADR-20)
Request for ADR Procedure No. 21 - (ADR-21)
Request for ADR Procedure No. 22 - (ADR-22)
Request for ADR Procedure No. 23 - (ADR-23)
Request for ADR Procedure No. 24 - (ADR-24)
Request for ADR Procedure No. 25 - (ADR-25)
Request for ADR Procedure No. 26 - (ADR-26)
Request for ADR Procedure No. 27 - (ADR-27)
Request for ADR Procedure No. 28 - (ADR-28)
Request for ADR Procedure No. 29 - (ADR-29)
Request for ADR Procedure No. 30 - (ADR-30)
Request for ADR Procedure No. 31 - (ADR-31)
Request for ADR Procedure No. 32 - (ADR-32)
Request for ADR Procedure No. 33 - (ADR-33)
Request for ADR Procedure No. 34 - (ADR-34)
Request for ADR Procedure No. 35 - (ADR-35)
Request for ADR Procedure No. 36 - (ADR-36)
Request for ADR Procedure No. 37 - (ADR-37)
Request for ADR Procedure No. 38 - (ADR-38)
Request for ADR Procedure No. 39 - (ADR-39)
Request for ADR Procedure No. 40 - (ADR-40)
Request for ADR Procedure No. 41 - (ADR-41)
Request for ADR Procedure No. 42 - (ADR-42)
Request for ADR Procedure No. 43 - (ADR-43)
Request for ADR Procedure No. 44 - (ADR-44)
Request for ADR Procedure No. 45 - (ADR-45)
Request for ADR Procedure No. 46 - (ADR-46)
Request for ADR Procedure No. 47 - (ADR-47)
Request for ADR Procedure No. 48 - (ADR-48)
Request for ADR Procedure No. 49 - (ADR-49)
Request for ADR Procedure No. 50 - (ADR-50)

NEXT Clear

12. On the next screen, make the appropriate choice, then click "Next."

CM ECF Civil Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

2:20-cv-00020 Bonaparte v. Wellesley

ACCO

The outcome of the proceeding was:

- Completely Settled
- Not Held - Settled
- Partially resolved
- Unable to reach an agreement

NEXT Clear



HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR) (CONT.)

13. On the next screen, under "Main Document," click "Browse" and select the completed, "flattened" ADR-3 from wherever you saved it on your system. After you select the file, click "Next."

Date document filed (mandatory)
7/8/2020 Calendar

Select the PDF document and any attachments.

Main Document
Choose File TEST.pdf

Attachments	Category	Description
1. Choose File No file chosen		

NEXT Clear

14. On the next screen, select yourself from the list of attorneys, then click "Next." If your name is not there, contact us and we will fix the docket to give you filing access.

Pick Attorney

Select the attorney(s)

- R Reyes(1647889)
- LaRee Hom(1652378)
- Joseph James TEST CM Live(1164717)
- Carlos Brizuela Test1(1614534)
- John Testcase(605765)
- jd TESTatty1(711)
- Eric TESTatty07(985665)
- Attorney System(1511)

Next Clear New Attorney

15. On the next screen, select yourself (i.e., the mediator) from the list of parties, then click "Next." Once again, if your name is not there, contact us and we will fix the docket before you file.

If the Mediator (ADR) party does **not** appear in the pick list **STOP** and contact the ADR Program Office at 213-894-2993 for assistance.

Pick Filer

Select the filer or party as indicated in display message.

Select the Party:

- ABC [mov]
- Asa Abloy Holdings Inc [dft]
- Asa Abloy Holdings Inc [cd]
- Asa Abloy Holdings Inc [cc]
- Asa Abloy Holdings Inc [3pp]
- Attorney Settlement Officer [aso]
- Attorney Settlement Officer Coordinator [misc]
- Brnz Test Pro Se, Carlos [pla]

Next Clear New Filer

16. On the next screen, enter the date on which the mediation was held, then click "Next."

Enter the date Mediation Proceedings were held:

Mediation Proceedings held on:

NEXT Clear



HOW TO E-FILE A MEDIATION REPORT (ADR-3) (TAB 18) (MEDIATOR) (CONT.)

17. On the next screen, choose "No," then click "Next."

Is this document filed under seal?

Yes

No

18. The next screen will display the proposed docket text. Just click "Next."

```
MEDIATION REPORT Filed by Mediator (ADR Panel) Gary A Plotkin: Mediation held on
June 23, 2020. The parties are unable to reach an agreement at this time.<br
/>Counsel: Please evaluate the effectiveness of the ADR Program by completing a
survey on your mediation experience. To access the survey, click on the
following link: <a
href=http://www.surveymonkey.com/r/MediationParticipantSurvey?
am=ardTD%2bxWt8QihazrS4rkL CZpW8J5iFXemx8DgyVDu%3d>MediationParticipantSurvey</
a>
```

19. On the next screen, confirm the proposed docket text, and click "Next."
20. That's it. The Mediation Report has been filed. The next and final screen displays the Notice of Electronic Filing. Please review the NEF to determine if any pro se parties were not served by the Court's electronic filing system. You will need to send the Notice to them separately.

**THANK YOU FOR FILING
YOUR MEDIATION REPORT!**



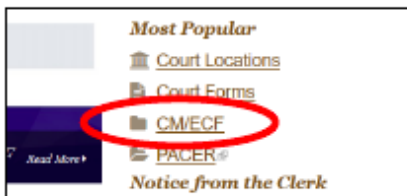
HOW TO E-FILE
A NOTICE OF MEDIATION DATE
(ADR-13) (TAB 18)
(MEDIATOR)



HOW TO E-FILE A NOTICE OF MEDIATION DATE (ADR-13) (TAB 19) (MEDIATOR)

United States District Court, Central District of California Cheat Sheet for Mediators How to E-File a Notice of Mediation Date (ADR-13)

1. Prepare form ADR-13 for filing. Be sure to "flatten" the completed form before filing it by "printing" the form to pdf. (In other words, don't upload a form that still has the fillable fields in editable form.)
2. Log in to PACER (if you're already logged in, skip to step 6). Follow (and bookmark) this link: ecf.cacd.uscourts.gov. Or, from the homepage of the Central District of California's website (www.cacd.uscourts.gov), click on the link to access **CM/ECF**:



3. On the next screen, click the "**CENTRAL DISTRICT OF CALIFORNIA - Document Filing System**" link.



4. Login with your **PACER** username and password. **YOU MUST PUT IN A CLIENT CODE**, but it makes absolutely no difference what you put in that field. We do not track it and will never see it. You may use your own client code or file number, if you have one, or you may just enter "ADR."



July 7, 2020

Page 1 of 5



HOW TO E-FILE A NOTICE OF MEDIATION DATE (ADR-13) (TAB 19) (MEDIATOR) (CONT.)

5. You may see a dialog box pop up about the “Redaction Agreement.” If you do, check the box and then click **“Continue.”**

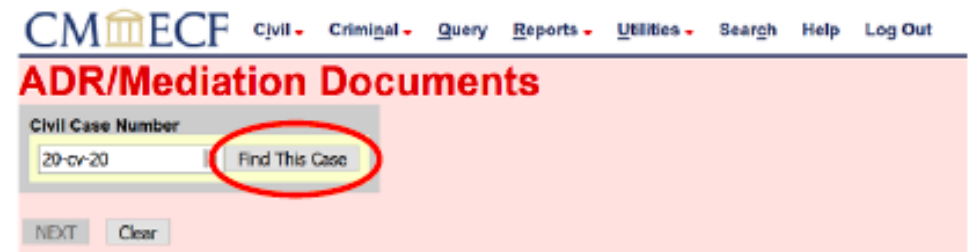


6. You are now logged in. Click **“Civil”** in the menu bar at the top of the screen.

7. On the next screen, under **“Other Filings,”** select **“ADR/Mediation Documents.”**



8. On the next screen, enter the case number and click **“Find This Case.”**





HOW TO E-FILE A NOTICE OF MEDIATION DATE (ADR-13) (TAB 19) (MEDIATOR) (CONT.)

9. You may be shown several possible case choices. In this example, there is a case in every division with this case number. Select the one you want, then click "Next."

CM/ECF Cjvll Criminal Query Reports Utilities Search Help What's New Log Out

ADR/Mediation Documents

Civil Case Number
19-cv-1891 Hide Case List

Select a case:

- 2:19-cv-01891-JFW-SS Lamar Myers v. SG Xiao May Restaurant, Inc., et al (closed 07/17/2019)
- 5:19-cv-01891-JGB-SP Janine Thomas v. Empire Springs Charter School
- 8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al

NEXT Clear

10. On the next screen, confirm the case name and number, and click "Next."

CM/ECF Cjvll Criminal Query Reports Utilities Search Help What's New Log Out

ADR/Mediation Documents

8:19-cv-01891-JLS-ADS James Rutherford v. Coastland Chapman Plaza, L.P. et al

ACCO,
(ADSx),DISCOVERY,MANADR

NEXT Clear

11. On the next screen, select "Notice of Mediation Date (ADR-13)," then click "Next."

CM/ECF Cjvll Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

2:20-cv-00020 Bonaparte v. Wellesley

ACCO

Available Events (click to select an event)

- Mediation Report (ADR-3) Completely Settled
- Mediation Report (ADR-3) Not Held - Settled
- Mediation Report (ADR-3) Partially Resolved
- Mediation Report (ADR-3) Unable to Reach Agreement
- Notice of Mediation Date (ADR-13)**
- Request for ADR Procedure No. 1 - (ADR-1)
- Request for ADR Procedure No. 2 - (ADR-1)
- Request for ADR Procedure No. 3 - (ADR-1)
- Stipulation Regarding Selection of Panel Mediator (Assigned) - (A
- Stipulation Regarding Selection of Panel Mediator (Consent) - (A

Selected Event
Notice of Mediation Date (ADR-13)

NEXT Clear

12. On the next screen, under "Main Document," click "Browse" and select the completed, "flattened" ADR-13 from wherever you saved it on your system. After you select the file, click "Next."

CM/ECF Cjvll Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

2:20-cv-00020 Bonaparte v. Wellesley

ACCO

Select the PDF document and any attachments.

Main Document
Browse... No file selected.

Attachments	Category	Description
1. Browse... No file selected.		

NEXT Clear



HOW TO E-FILE A NOTICE OF MEDIATION DATE (ADR-13) (TAB 19) (MEDIATOR) (CONT.)

13. On the next screen, enter the date of the scheduled mediation, then click "Next."

CM/ECF Civil Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

[2:20-cv-00020 Bonaparte v. Wellesley](#)

ACCO

The Mediator has scheduled a Mediation for:

14. On the next screen, click "Next."

CM/ECF Civil Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

[2:20-cv-00020 Bonaparte v. Wellesley](#)

ACCO

15. On the next screen, confirm the proposed docket text, and click "Next."

CM/ECF Civil Criminal Query Reports Utilities Search Help Log Out

ADR/Mediation Documents

[2:20-cv-00020 Bonaparte v. Wellesley](#)

ACCO

Docket Text: Final Text
NOTICE OF MEDIATION DATE filed. Mediation set for June 18, 1815.(Cummings, Jenna)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue. Have you redacted?

Source Document Path (for confirmation only):
C:\fakepath\TEST.pdf pages: 1

16. That's it. The Notice has been filed. The next and final screen displays the Notice of Electronic Filing. Please review the NEF to determine if any pro se parties were not served by the Court's electronic filing system. You will need to send the Notice to them separately.

**THANK YOU FOR FILING
YOUR NOTICE OF MEDIATION DATE!**



Western Division, First Street Courthouse, Los Angeles



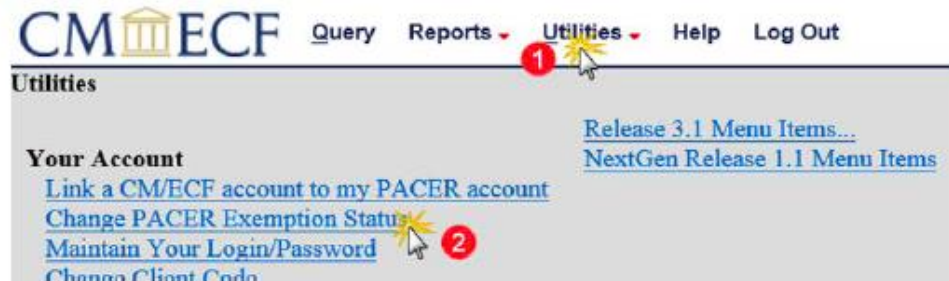
HOW TO CHANGE YOUR PACER EXEMPTION STATUS (MEDIATOR)



HOW TO CHANGE YOUR PACER EXEMPTION STATUS (TAB 20) (MEDIATOR)

Log in to CM/ECF (<https://ecf.cacd.uscourts.gov/cgi-bin/ShowIndex.pl>) using your individual PACER account login and password.

Click "Utilities" in the menu bar at the top of the screen. You should see a screen with a link to "Change PACER Exemption Status," similar to:



Click the "Change PACER Exemption Status" link. If the exemption has been applied to your account, the resulting screen should look something like this:

Change PACER Exemption Status

Current PACER Exemption Status: Exempt Court

Change PACER status to:

- Not Exempt
- CJA
- Court Order

Choose "Not Exempt" for private work and "Court Order" for Panel work. **If the exemption has not yet been applied to your account, you will NOT see that screen. You will instead receive an error message stating that you are "Not permitted to change PACER exempt status."** Wait a couple of weeks, then try again.

Once you do have exemption privileges on your account, you will also be able to access the "Change PACER Exemption Status" screen from the "Query" screen, before you enter a search for a particular case, as shown here:

02:0437 (02:437 Federal Election Commission)

Last/Business Name Exact matches only

First Name Middle Name

Type

PACER fee: Exempt Court Order [Change](#)



Western Division, First Street Courthouse, Los Angeles



CENTRAL DISTRICT ADR RESOURCES



Western Division, First Street Courthouse, Los Angeles



ADR PROGRAM RESOURCES

[Hon. John W. Holcolmb](#), District Judge
Chair of the ADR Committee

[Hon. Christina A. Snyder](#), District Judge
Vice Chair of the ADR Committee

[Christen Chapman](#), Esq.
Administrative Law Clerk to Chief Judge Dolly Gee

[Lori Stanton](#), Administrative Assistant
ADR Program



ADR MCLE PROGRAM AND PEER RESOURCES

[Phyllis W. Cheng, Esq.](#), ADR Services, Inc.
New Mediator Training

[Nicholas P. Connon, Esq.](#), Connon Wood LLP
Mediation Book Group

[Stacie Feldman Hausner, Esq.](#), ADR Services, Inc.
Advanced Mediator Training

[Cynthia Sandoval, Esq.](#), Sandoval Mediation, P.C.
Mediation Practice Group

[Mediation Panel Members](#)



2024 ADR MCLE PROGRAM SCHEDULE

March 15, 2024	12 noon-1 pm	Practice Group Meeting Session I
March 15, 2024	1 pm-2 pm	Book Group Meeting Session I
May 17, 2024	12 noon-1 pm	Practice Group Meeting Session II
May 17, 2024	1 pm-2 pm	Book Group Meeting Session II
June 13, 2024	9 am-4 pm	Advanced Mediation Training
August 23, 2024	9 am-4 pm	New Mediator Training
September 20, 2024	12 noon-1 pm	Practice Group Meeting Session III
September 20, 2024	1 pm-2 pm	Book Group Meeting Session III
November 15, 2024	12 noon-1 pm	Practice Group Meeting Session IV
November 15, 2024	1 pm-2 pm	Book Group Meeting Session IV



Western Division, First Street Courthouse, Los Angeles



THANK YOU

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