

MEDIATION CHECKLIST



**INT
ARB**

**ARBITRATORS
& MEDIATORS**

LONDON | WASHINGTON

Why Mediate?

- Process is consensual, confidential, not forced upon the parties and on a without prejudice basis.
- Saves time, swift and cost effective.
- Enables a safe space for facilitated negotiations.
- Provides a route to a win-win solution, allowing parties to save face and protect themselves in sensitive situations.
- Preserves ongoing relationships which is vital for business.
- Facilitates early review of issues and positions.
- Parties retain control
- Permits pragmatic business solutions.

When to mediate?

- Parties have an ongoing relationship to preserve.
- Parties want to avoid publicity associates with litigation.
- Parties require confidentiality and secrecy.
- Costs of proceeding to litigation is too high, but also expect court backlog.
- Disputes are capable of resolution through innovative solutions.
- Key decision makers are present.
- Dispute must be resolved quickly.