

IN THE CIRCUIT COURT OF _____ COUNTY, MISSISSIPPI

ORDER OF MEDIATION

THIS Court hereby Orders the above-referenced case to mediation at a date and time to be agreed upon by the parties within the time frame referenced herein. On the date of mediation, all parties and their representatives who hold authority for settlement, including the necessary authorization for the extension and acceptance of settlement offers, must be physically present during the entirety of the mediation. Physical presence means those persons will appear in person and not by phone or other electronic means. No exception to this requirement of physical presence is allowed except upon Motion made and Order of this Court.

The parties are required to complete mediation as soon as reasonably practical and more than ninety (90) days ahead of the date this case is set for trial. The purpose of this time requirement is to encourage cases to mediation after there has been enough discovery completed for the parties to have a reasonable chance of resolution through the mediation process, but not so close to trial so as to interfere with this Court's trial-related deadlines.

In medical malpractice cases where settlement requires approval of the physician or other medical provider, they shall be present at the mediation as provided herein.

All costs of the mediation shall be split equally between the parties unless otherwise agreed. Any variation from this Order will be considered upon Motion by the party requesting the same, made within ten (10) days of the date of entry of this Order.

Except as otherwise stated herein, the *Court Annexed Mediation Rules for Civil Litigation*, a copy of which is attached hereto as *Exhibit A*, shall apply.

SO ORDERED AND ADJUDGED on this, the _____ day of _____, 20____.

CIRCUIT COURT JUDGE