

STATE OF NORTH CAROLINA

File No.

County

Name And Address Of Party Requesting Prelitigation Mediation Of Farm Dispute

REQUEST FOR PRELITIGATION MEDIATION OF FARM NUISANCE DISPUTE

Telephone No. Of Requesting Party

Email Address Of Requesting Party

Name Of Person, Entity Or Agency From Whom Records Are Sought

G.S. 7A-38.3; Rule 1 of the Rules of Mediation for
Farm Nuisance Disputes

Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)

☐ No ☐ Yes: (explain)

REQUEST

The undersigned party requests, pursuant to G.S. 7A-38.3, that the parties named below meet with the undersigned and a duly selected or appointed mediator, to conduct a prelitigation mediation of their farm nuisance dispute as described below:

(Please briefly describe below the nature of the farm nuisance and any other factors underlying this dispute.)

In accordance with G.S. 7A-38.3, the Rules for Mediated Settlement Conferences and Other Settlement Procedures in Superior Court Civil Actions, and the Rules of Mediation for Farm Nuisance Disputes, the parties shall have twenty-one (21) days from the date of the filing of this request in which to select a mediator. The mediator shall be a certified superior court mediator selected from the list maintained by the NC Dispute Resolution Commission and available through the Clerk or the Commission's website at www.NCDRC.gov. If the parties cannot agree on a mediator, the party filing this Request shall make that fact known to the Clerk.

A mediator selected by the parties shall be compensated at a rate agreed on between the parties and the mediator. If the parties cannot agree on a mediator and a mediator must be appointed, then the mediator shall be compensated at the rate of \$150 per hour for mediation services and a one time, per case \$150 administrative fee. Unless otherwise agreed to by the parties, all mediator fees shall be paid directly to the mediator at the conclusion of mediation. Fees shall be paid pursuant to Rule 6(e) of these Rules.

It shall be the responsibility of the mediator to: schedule the mediation; notify the parties of the date, time, and location of the mediation; conduct the mediation; prepare a certificate stating the results of the mediation which the mediator shall file with the Clerk and serve on the parties.

Pursuant to G.S. 7A-38.3, the parties may agree to waive prelitigation mediation of their dispute by informing the mediator in writing of the waiver. No mediator fee shall be assessed against any party if all parties waive mediation prior to the initial mediation session.

Date Of Request

Signature Of Party Requesting Prelitigation Mediation

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Request has been mailed by certified mail, return receipt requested, to each of the parties named below.

Name And Address Of Party To The Dispute

Name And Address Of Party To The Dispute

Name And Address Of Party To The Dispute

Name And Address Of Party To The Dispute

Date Mailed

Signature Of Party Requesting Prelitigation Mediation