

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

_____ County

APPOINTMENT OF MEDIATOR BY COURT ORDER IN SUPERIOR COURT CIVIL ACTION

NOTICE:

The parties having reported their failure to agree upon the selection of a mediator or the parties having failed to notify the Court of their selection or nomination of a mediator within twenty-one (21) days after this case was ordered to mediation, the Court appoints the following certified mediator to conduct the mediated settlement conference.

G.S. 7A-38.1; Rule 2 of the Rules for Mediated Settlement Conferences
and Other Settlement Procedures in Superior Court Civil Actions

VERSUS

Name Of Plaintiff(s)

Name And Address Of Plaintiff's Attorney (or Pro Se Plaintiff's Address)

Telephone No.

Plaintiff's Attorney's Email Address (or Pro Se Plaintiff's Email Address)

Name Of Defendant(s)

Name And Address Of Defendant's Attorney (or Pro Se Defendant's Address)

Telephone No.

Defendant's Attorney's Email Address (or Pro Se Defendant's Email Address)

Trial Date

Date Of Order Referring Matter To Mediation

Deadline For Completion Of Mediated Settlement Conference

MOTION FOR COURT APPOINTMENT OF MEDIATOR

The above named case was referred to a mediated settlement conference.

The parties have been unable to agree upon the selection of a mediator and move the Senior Resident Superior Court Judge to appoint a certified mediator to conduct their conference.

Date

Name Of Plaintiff's Attorney (or Pro Se Plaintiff)

Signature Of Plaintiff's Attorney (or Pro Se Plaintiff)

Original-File Copy-Senior Resident Superior Court Judge or his/her designee
Copy-Plaintiff Copy-Defendant Copy-Mediator

(Over)

CERTIFICATE OF SERVICE - MOTION FOR COURT APPOINTMENT OF MEDIATOR

The undersigned certifies that on this date a copy of the foregoing Motion For Court Appointment Of Mediator was served on the persons listed below at the mailing address or email address listed below, such as the case may be, as set forth below. For each person listed as being served by email, the email address listed below is the email address of record with this court for that person. The undersigned further certifies that each such person served by email is either (1) an attorney or (2) a person who consented to receive email service in this case at that address, as established by consent filed with the court by any party.

(Provide names and addresses for persons served by mail or email in the spaces below. Attach additional sheets if necessary.)

<i>Name And Address Of Party Or Attorney</i>	☐ served by depositing copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to that person at the address listed to the left. ☐ served by email to the email address listed to the left.
<i>Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)</i>	☐ served by email from ICMS/File & Serve to the email address listed to the left.
<i>Name And Address Of Party Or Attorney</i>	☐ served by depositing copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to that person at the address listed to the left. ☐ served by email to the email address listed to the left.
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<i>Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)</i>	☐ served by email from ICMS/File & Serve to the email address listed to the left.
<i>Date</i>	<i>Name Of Plaintiff's Attorney (or Pro Se Plaintiff) (type or print)</i>
<i>Signature Of Plaintiff's Attorney (or Pro Se Plaintiff)</i>	

(See Page Two for Order Of Appointment and Certificate Of Service - Order Of Appointment)

ORDER OF APPOINTMENT		
The parties having reported their failure to agree upon the designation of a mediator or the parties having failed to notify the Court of their designation or nomination of a mediator, the Court appoints the following certified mediator to conduct the mediated settlement conference.		
<i>Name And Address Of Certified Mediator</i>		<i>Telephone No.</i> <i>Mediator's Email Address</i>
NOTE TO MEDIATOR: <i>The mediator shall be responsible for designating the location of the conference, if the parties are not able to agree, and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediated settlement conference shall be completed by the completion deadline set forth above, and the mediator shall report the results of the conference to the Court within ten (10) days after the conference is completed.</i>		
<i>Date</i>	<i>Name Of Senior Resident Superior Court Judge/Judge's Designee</i>	<i>Signature Of Senior Resident Superior Court Judge/Judge's Designee</i>
CERTIFICATE OF SERVICE - ORDER OF APPOINTMENT		
The undersigned certifies that on this date a copy of the foregoing Appointment Of Mediator By Court Order In Superior Court Civil Action was served on the persons listed below at the mailing address or email address listed below, such as the case may be, as set forth below. For each person listed as being served by email, the email address listed below is the email address of record with this court for that person. The undersigned further certifies that each such person served by email is either (1) an attorney or (2) a person who consented to receive email service in this case at that address, as established by consent filed with the court by any party. <i>(Provide names and addresses for persons served by mail or email in the spaces below. Attach additional sheets if necessary.)</i>		
<i>Name And Address Of Mediator</i>		☐ served by depositing copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to that person at the address listed to the left. ☐ served by email to the email address listed to the left. ☐ served by email from ICMS/File & Serve to the email address listed to the left.
<i>Email Address Of Mediator (if served by email or by email from ICMS/File & Serve)</i>		
<i>Name And Address Of Party Or Attorney</i>		☐ served by depositing copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to that person at the address listed to the left. ☐ served by email to the email address listed to the left. ☐ served by email from ICMS/File & Serve to the email address listed to the left.
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<i>Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)</i>		
<i>Date</i>	<i>Name Of Court Staff/Judge's Designee (type or print)</i>	<i>Signature Of Court Staff/Judge's Designee</i>