

**HARTFORD
CHAMBER'S ORDER NO. 1**
(As Amended September 11, 2017)

**VOLUNTARY MEDIATION OF CONTESTED MATTERS, ADVERSARY
PROCEEDINGS AND OTHER DISPUTES IN CASES PENDING IN
THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF CONNECTICUT IN HARTFORD**

1.0 SPONSORSHIP AND AUTHORITY

1.1 Sponsorship by the Hartford County Bar Association

The Commercial Law Committee of the Hartford County Bar Association has previously sponsored and developed a pilot program to encourage and promote the voluntary mediation of contested matters and adversary proceedings in cases pending in the United States Bankruptcy Court for the District of Connecticut in Hartford. The program provides for the appointment by the Court of qualified mediators who will serve on a voluntary, pro bono, no-fee basis, to assist the parties and the court in resolving, through mediation, a wide variety of disputes that commonly arise in the form of adversary proceedings or contested matters before the Bankruptcy Court in Hartford, in certain cases identified by the Court in which the parties have minimal if any ability to pay for a mediator's services. In coordination with the Continuing Legal Education Committee of the Hartford County Bar Association, it is expected that the Commercial Law Committee will also conduct Continuing Legal Education programs in order for volunteer mediators to meet the requirements hereinafter set forth.

This program and Order is not designed to displace or compete with existing Alternative Dispute Resolution ("ADR") providers who already provide valuable services in Connecticut for a fee. Rather, this program is targeted at the many types of disputes

that commonly arise in the Bankruptcy Court and for which the parties are unable to afford fee-based mediation. This program is not intended for “moneyed” cases where resources are otherwise available. The rationale for sponsorship of this program for cases pending in the Hartford Bankruptcy Court is the commitment to pro bono services by the Hartford County Bar Association and its members who will serve on the mediation panel and who serve clients in matters pending before this Court.

1.2 Authority

Existing Connecticut Local Bankruptcy Rules and the Court’s Chambers Practices provide authority and guidance for the reference of cases to voluntary ADR at any stage of the litigation deemed appropriate by the parties and the judge to whom the particular adversary proceeding or contested matter has been assigned. This program and this Chamber’s Order envision the referral of cases to voluntary mediation under the authority and procedures set forth hereafter. The following is adopted by this Court as Hartford Chamber's Order No. 1.

2.0 REGISTER OF VOLUNTARY MEDIATORS AND APPLICATION PROCEDURE

2.1 Register of Qualified Volunteer Mediators

Pursuant to the procedures contained in this Order, the Clerk of the Bankruptcy Court in Hartford shall establish and maintain a register containing the names of qualified attorneys who have volunteered to serve, without compensation, as mediators in contested matters and adversary proceedings in cases pending in the Bankruptcy Court in Hartford and which come under the purview of this Order. All attorneys so registered as volunteer mediators shall be subject to review and approval of this Court and shall be selected from lists of attorneys who meet the qualifications hereinafter described.

2.2 Applications for Persons Wishing to Serve as Volunteer Mediators

Applicants who wish to serve as volunteer mediators for the Hartford Bankruptcy Court shall complete an application to the Bankruptcy Court. The application shall initially be submitted to and screened by the Commercial Law Committee of the Hartford County Bar Association whose sole function shall be to review applications to ensure that the applicants meet the threshold qualifications set forth below. The application shall set forth the qualifications described herein and conform in format to the attached Appendix A.

2.3 Qualifications for Volunteer Mediators

In order to qualify for service as a volunteer mediator, an attorney shall certify to the Court that he or she meets the following minimum qualifications:

- a. Is an active member of the State Bar of Connecticut, in good standing, and duly licensed to practice before the courts of the State of Connecticut and the Federal Courts for the District of Connecticut;
- b. Has been admitted to practice in a state court for at least seven (7) years and in the Federal Courts for the District of Connecticut for at least six (6) years;
- c. Has served as the attorney of record in some capacity in at least three (3) bankruptcy cases from commencement through conclusion (i.e., confirmation of a plan or discharge); or, alternatively, has served as the attorney of record for at least five (5) adversary proceedings or contested matters in any Bankruptcy Court in this jurisdiction from commencement through completion (i.e., judgment, order or settlement pursuant to Bankruptcy Rule 9019);
- d. Has completed not less than four (4) credit hours of Continuing Legal Education on the subject of mediation and/or alternative dispute resolution; or, alternatively,

will complete not less than four (4) credit hours of Continuing Legal Education on the subject of mediation and/or alternative dispute resolution within one (1) year of his or her appointment as a volunteer mediator.

e. Has not:

(1) Been suspended, or had a professional license revoked, and does not have pending any proceeding to suspend, discipline or revoke such license; or

(2) Resigned from any applicable professional organization or voluntarily relinquished the right to practice law in any jurisdiction while an investigation into allegations of misconduct which would warrant suspension, disbarment or professional license revocation was pending; or

(3) Been convicted of a felony.

2.4 Requirements for Volunteer Mediators on Register

Volunteer mediators shall complete not less than four (4) additional credit hours of Continuing Legal Education on the subject of mediation and/or alternative dispute resolution for every five (5) years of consistent service on the mediation register, such additional credit to be certified to the Hartford County Bar Association Commercial Law Committee, within one (1) year hereof and hereafter within one (1) year of the fifth year of service.

2.5 Removal from Register of Volunteer Mediators

A person shall be removed from the mediation register either at the person's request, or at the discretion of this Court, the exercise of which may be with or without cause. If removed from the register by the Court, the person may be returned to the register at the discretion of the Court. Any person who has not already completed the

required four (4) credit hours of Continuing Legal Education on mediation and/or alternative dispute at the time of application shall within one (1) year of the date of his or her original application submit to the Hartford County Bar Association Commercial Law Committee a certificate stating he or she has completed the required Continuing Legal Education credits identifying the sponsor of the course, the name of the course of study, the identity of the presenters, the date(s) of the course, and the number of credit hours completed. Failure to certify completion of this requirement shall result in the person being removed from the list of eligible mediators.

3.0 REVIEW OF APPLICATIONS AND SUBMISSION OF LIST OF ELIGIBLE MEDIATORS

3.1 Review of Applications by Hartford County Bar Association

Applications shall be submitted to the Commercial Law Committee of the Hartford County Bar Association and shall be reviewed by designees of the President for compliance with the qualifications set forth above. Any incomplete applications or applications not meeting the criteria set forth above shall be returned to the applicant with an explanation of the reasons for being returned, or with a request for completion of any missing information.

3.2 Submission of List of Eligible Volunteer Mediators to the Bankruptcy Court

A list of eligible mediators shall be submitted from time to time, but no more than once per year, to the Clerk of the Court by the Commercial Law Committee of the Hartford County Bar Association. The list shall consist of all applicants whose applications have met the criteria set forth above. Each such list submitted shall be subject to the review and approval of the Court, and those volunteer mediators so

approved by the Court shall be placed on the mediation register maintained by the Clerk of this Court.

4.0 ASSIGNMENT TO MEDIATION

4.1 Mediation to be Voluntary and at any Stage in the Proceeding

A case may be referred for voluntary mediation at any stage of the litigation deemed appropriate by the parties and the judge to whom the particular case has been assigned. If a case is to be assigned to mediation, the parties attending a pretrial conference, status conference or other hearing shall promptly review this First Amended Chamber's Order No. 1 setting forth these rules governing mediation and the current list of eligible mediators.

4.2 Stipulation for Reference to Mediation

When an agreement between the parties for a voluntary mediation referral pursuant to this Order has been reached, the parties shall jointly file for the Court's endorsement a "Stipulation for Reference to Mediation" in the form attached hereto as Appendix B. Unless otherwise ordered by the Court, the original Stipulation shall be retained by the appropriate party as required by the Court's electronic document filing protocol. The Stipulation, subject to the Court's approval, shall specify: (a) the scope of the mediation process (e.g., settlement of all or some of the issues, resolution of discovery schedules or disputes, narrowing of the issues, etc.); (b) the mediation provider (e.g. any qualified person or panel selected by the parties or the judge); (c) the judicial proceedings, if any, to be temporarily stayed pending mediation (e.g., discovery matters, filing of motions, trial, etc.); (d) the effect of the mediation (e.g., non-binding); (e) the date or dates for the filing of a report by the mediator with the judge or for the completion of the mediation process; and (f) the

special conditions, if any, imposed by the judge upon any aspect of the mediation process (e.g. exchanged or ex parte submissions to the mediator, requiring trial counsel, the parties, and/or representatives of insurers with settlement authority to attend the mediation fully prepared to make final demands or offers and to negotiate in good faith).

4.3 Selection of Volunteer Mediator from Register/Notification Procedure

The parties shall jointly select the names of two mediators from the register of eligible mediators maintained by the Clerk of the Court who the parties believe not to have any conflicts of interest with the parties, the case or the matter in controversy. The parties shall designate which of the two mediators they wish to serve as an alternate in the event the first mediator selected has a conflict of interest or is otherwise unable or unwilling to serve. The Clerk of this Court shall thereupon send, via the Court's CM/ECF system, and mail a copy of the Stipulation for Reference to Mediation to the first mediator selected from the register. In the event of any conflict of interest or other cause for declining the mediation, in the sole and absolute discretion of the first mediator, the mediator shall notify the Clerk of the Court and the Clerk shall forthwith send, via the Court's CM/ECF system, and mail a copy of the Stipulation for Reference to Mediation to the alternate mediator designated by the parties. In the event the alternate mediator has a conflict of interest or is otherwise unable or unwilling to serve, the alternate mediator shall forthwith notify the Clerk of this Court and the parties, upon which notice the parties shall submit the names of two other members from the register. In such an instance, the foregoing procedure shall be repeated until a mediator is chosen pursuant to this Chamber's Order No. 1.

4.4 Conflicts of Interest

The mediator shall comply with Standard III, Conflicts of Interest, of the Model Standards of Conduct for Mediators, adopted by the American Arbitration Association on September 8, 2005, as amended from time to time, and shall make any required disclosures to parties no later than the earlier of ten (10) days of being notified of his or her appointment as mediator, or within three (3) business days of the commencement of any expected mediation conference.

5.0 MEDIATION PROCEDURE

5.1 Scheduling of Mediation

The volunteer mediator shall promptly fix a time and place for the mediation conference, and any adjourned sessions, that is reasonably convenient for the parties and the mediator, and shall unless waived or otherwise ordered, give them at least fifteen (15) days' written advance notice of the initial conference. The conference shall be set to begin as soon as practicable, but in no event more than forty five (45) days after the mediator has been notified of his or her selection. The volunteer mediator may, upon written stipulation of the parties filed with the Court, grant one (1) continuance of the conference, which continuance shall not extend the time from notification of the mediator's appointment to the conference to a period longer than sixty (60) days. Any further extension of the time for the mediation conference shall only be upon order of this Court for cause shown.

5.2 Case Summary to be Submitted to Volunteer Mediator

Each party shall provide the mediator with a completed case summary generally in the format attached hereto as Appendix C. At the request of the mediator, additional information or statements may be included as part of the case summary. The case summary

shall be served upon the mediator and at the election of the parties, upon all other parties to the mediation not less than seven (7) calendar days prior to the date noticed for the mediation conference. In addition, each party may provide the mediator, in an *ex parte* position paper, any additional information that such party may wish the mediator to review in advance of the mediation conference. Nothing herein shall preclude the mediator from requesting additional submissions, or from participating in *ex parte* communications calculated to advance a fair and just mediated outcome.

5.3 Attendance and Preparation Required

The attorney for each party who is knowledgeable about the dispute and primarily responsible for the case shall personally attend the mediation conference and any adjourned sessions of that conference. The attorney for each party and, as necessary, the parties shall come prepared to discuss the following material matters in detail and in good faith:

- a. All liability issues and theory of the case;
- b. All damage issues or relief requested;
- c. The position of his/her client relative to settlement; and
- d. Real or perceived impediments to settlement.

5.4 Parties to Attend

All individual parties who reside within Connecticut shall personally attend the mediation conference unless excused by the mediator for cause. Parties, other than individuals, whose principal place of business is located in Connecticut, shall have a representative appear with sufficient authority to negotiate. Individuals and other parties who neither reside in Connecticut, nor have a place of business located therein, shall be available for conferences with their counsel and/or the mediator by telephone, Skype, FaceTime or video

conference. The mediator shall decide when it is appropriate for all of the parties to be present in the conference room and when it is appropriate to meet separately with respective counsel and/or parties.

5.5 Mediation Proceedings Privileged

All proceedings or writings of the mediation conference, including the case summary, any *ex parte* position papers, the mediator's settlement recommendation, plus any statement made by any party, attorney or other participant, shall in all respects be privileged, confidential and not reported, recorded, placed in evidence, made known to the Court or jury or construed for any purpose as an admission against interest. All writings, records, reports or other documents received by the mediator while serving in that capacity shall be confidential and not subject to legal process. By agreeing to submit their controversy to voluntary mediation in accordance with these rules, the parties agree that they shall not compel or require the volunteer mediator to appear or testify in any legal proceeding or judicial forum. Any party that violates this rule shall pay all reasonable attorney's fees and expenses of the mediator and the other parties, incurred in opposing the efforts to compel testimony or records from the volunteer mediator. No party shall be bound by anything said or done at the mediation conference unless a settlement is reached, in which event the settlement agreement shall be promptly reduced to writing and shall be binding upon all parties to that agreement, subject only to the approval of the Court, where applicable. In addition to the foregoing, Federal Rule of Evidence 408 shall apply to all communications made during the mediation conference, and to all communications between the mediators and parties made at any other time.

5.6 No Service of Process at Site of Mediation

No subpoenas, summons, complaints, citations, writs or other process may be served upon any person or party at or near the site of any mediation session or upon any person entering, attending or leaving the session.

5.7 Mediator's Recommendations to be Disclosed to the Parties

If the mediator makes any oral or written suggestions as to the advisability of a change in any party's position with respect to settlement, and in addition to the opportunity of the mediator to communicate directly with the party in the presence of the party's attorney, the attorney for that party shall promptly transmit that suggestion to his or her client. The mediator shall have no obligation to make any written comments or recommendations, but may, in his or her discretion, provide the attorneys for the parties with a written settlement recommendation memorandum. No copy of any such memorandum shall be filed with the Clerk or made available, in whole or in part, directly or indirectly, either to the Court or to any jury. The attorneys for the parties shall forward copies of any such memorandum to their clients and shall advise them of the fact that the mediator is a qualified attorney who has volunteered to act as an impartial mediator, without compensation, in service to the Bench and the Bar, in an attempt to help the parties reach a fair resolution and avoid the time, expense and uncertainty of trial.

5.8 Time Schedule for Mediation Activities

Subject to the time limitations set forth by Court Order in the Stipulation for Reference to Mediator, and in these rules, the mediator shall have the duty and authority to establish the time schedule for mediation activities, including a schedule for the parties to

act upon the mediator's recommendation, having in mind that the fundamental purpose of these rules and the mediation is fair, prompt and efficient dispute resolution.

6.0 WITHDRAWAL FROM MEDIATION

Any matter may be withdrawn from mediation by the judge assigned to the matter at any time upon a determination that for any reason the matter is not suitable for mediation. Any party in interest, the U.S. Trustee or the mediator may file a motion to withdraw a matter from mediation for cause.

7.0 PROCEDURE UPON COMPLETION OF MEDIATION SESSION

Upon the conclusion of the mediation session(s) the following procedure shall be followed:

a. After the mediation, the mediator shall file with the Clerk of this Court within ten (10) days, a certificate in the form attached as Appendix D indicating that the case has settled, or not settled, unless the parties and the mediator explicitly agree to a more detailed report (e.g. stipulation of facts, narrowing of the issues and discovery procedures, settlement agreement, etc.);

b. If the case settles, the parties shall: (1) agree upon the appropriate moving papers to be filed (Judgment, Stipulation For Dismissal, 9019 Motion) and (2) submit a fully executed stipulation to the Bankruptcy Court for approval;

c. If a case does not settle, but the parties agree to the narrowing of factual or legal issues or the resolution of discovery disputes, then the parties shall set forth those matters in writing for further consideration by the Court.

8.0 IMMUNITY

Mediators serving under the terms of this Chamber's Order No. 1 shall be immune from claims arising out of acts or omissions incident to their service as court appointees in this mediation program in the same manner and to the same extent as if they were acting as parajudicial officers appointed by this Court.

9.0 STANDARDS OF CONDUCT FOR MEDIATOR

Mediators shall comply with the Model Standards of Conduct for Mediators, adopted by the American Bar Association on August 9, 2005. If there is any conflict between the Model Standards of Conduct for Mediators and this Chamber's Order No.1, then the terms and provisions of this Order shall control.

With respect to conflicts of interest, the mediators and their law firms shall be governed by applicable law and rules of professional conduct, including Rule 1.12 of the Rules of Professional Conduct as adopted by the Judges of the Superior Court of Connecticut and made applicable by Rule 83.2 (a) of the Local Rules of the United States District Court for the District of Connecticut and Rule LBR 1001-1(b) of the Local Rules of Bankruptcy Procedure for the United States Bankruptcy Court for the District of Connecticut.

9.1 Implementation

This Amended Chamber's Order No. 1 Governing Mediation of Contested Matters and Adversary Proceedings in Bankruptcy Cases shall be effective on September 11, 2017 and is made applicable to all bankruptcy cases and mediations, related adversary proceedings and contested motions filed or pending in the United States Bankruptcy Court

for the District of Connecticut in Hartford on or after that date. The prior Order establishing this Program is vacated and superseded by this Amended Order.

Dated at Hartford, Connecticut this 11th day of September 2017.

James J. Tancredi
United States Bankruptcy Judge
District of Connecticut

APPENDIX A

**APPLICATION FOR APPOINTMENT TO REGISTRY
OF VOLUNTEER MEDIATORS**

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

The undersigned _____, with an office address of _____, hereby applies to the United States Bankruptcy Court for the District of Connecticut for permission to serve as a volunteer mediator and for his or her name to be entered on the Register of Voluntary Mediators Maintained by the Clerk of the Bankruptcy Court in Hartford. The undersigned certifies to the Court that he or she has read Chamber's Order No. 1 of said Court and is qualified to serve in accordance with the Requirements of said Chamber's Order No. 1.

Name: _____

Address: _____
Street City State Zip code

Business Telephone No. _____ Business e-mail address _____

1. I was admitted to practice before the courts of the State of Connecticut on _____ (Date of admission must be seven or more years prior to the date of this Application).
2. My Connecticut State Juris Number is _____.
3. I was admitted to practice before the United States District Court for the District of Connecticut on _____. (Date of Admission must be six (6) or more years prior to the date of this Application).
4. Have you served as the attorney of record for at three (3) bankruptcy cases from commencement through conclusion (i.e., confirmation of a plan or discharge)? Yes ___ No ____.
5. If the answer to question 4 above is "No", have you served as the attorney of record for at least five (5) adversary proceedings or contested matters in Bankruptcy Court from commencement through completion (i.e., judgment, order or stipulation settlement)?
Yes ___ No ____.

6. Have you completed not less than four (4) credit hours of Continuing Legal Education on the subject of mediation and/or alternative dispute resolution? Yes ___ No ___.
7. If the answer to question 6 above is “No”, will you complete not less than four (4) credit hours of Continuing Legal Education on the subject of mediation and/or alternative dispute resolution within one (1) year from the date of your appointment as a volunteer mediator if your Application is accepted? Yes ___ No ___.
8. Have you ever been suspended from the practice of law or had a professional license revoked? Yes ___ No___.
9. Is there now pending any disciplinary proceeding against you? Yes ___ No ___.
10. Have you ever resigned from any applicable professional organization or voluntarily relinquished your right to practice law in any jurisdiction while an investigation into allegations of misconduct which would warrant suspension, disbarment or professional license revocation was pending? Yes ___ No ___.
11. Have you ever been convicted of a felony? Yes ___ No ___.
12. Have you read, and do you agree to comply with the Model Standards of Conduct for Mediators, adopted by the American Bar Association on August 9, 2005? Yes ___ No ___.

/s/ _____

STATE OF CONNECTICUT)
) ss at:
COUNTY OF)

On this the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, who acknowledged that she/ he executed the foregoing instrument for the purposes therein contained as her/ his free act and deed.

In Witness Whereof I hereunto set my hand.

Notary Public/My Commission Expires:
Commissioner of the Superior Court

This Application should be submitted IN DUPLICATE to:

THE HARTFORD COUNTY BAR ASSOCIATION
COMMERCIAL LAW COMMITTEE
100 PEARL STREET
HARTFORD, CT 06103-1429

**TO BE COMPLETED BY AUTHORIZED MEMBER OF THE COMMERCIAL LAW
COMMITTEE OF THE HARTFORD COUNTY BAR ASSOCIATION**

I hereby certify that the Commercial Law Committee of The Hartford County Bar Association has reviewed the foregoing application and has determined that the Applicant meets the qualifications, subject to Court Approval, for inclusion on the Register of Qualified Volunteer Mediators maintained by the Clerk of the Bankruptcy Court in Hartford. This qualification is:

Unconditional _____
Valid for one year _____

Name: /s/ _____

Dated: _____

APPENDIX B

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

In re: _____	:	CHAPTER _____
Debtor	:	CASE NO. _____
_____	:	
Plaintiff	:	
_____	:	ADVERSARY
	:	PROCEEDING NO. _____
v.	:	
_____	:	
Defendant	:	

STIPULATION AND ORDER FOR REFERENCE TO MEDIATION

1. The above-captioned matter is hereby assigned to the following mediator or, if such mediator is unable to serve, to the alternative:

Mediator:	Alternate:
_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
City, State Zip	City, State Zip
_____	_____
Telephone	Telephone

2. The matter concerns:

- | | |
|---|--|
| <input type="checkbox"/> Dischargeability | <input type="checkbox"/> Voidable Transfer |
| <input type="checkbox"/> Objection to claim | <input type="checkbox"/> Lien Avoidance |
| <input type="checkbox"/> Discovery disputes | <input type="checkbox"/> Other |

3. The terms of the mediation are as follows: _____

4. The Attorneys for the parties are:

Name

Name

Address

Address

City, State Zip

City, State, Zip

E-Mail Address

E-Mail Address

Telephone

Telephone

5. The parties are ordered to comply with the provisions of the Amended Chamber's Order No. 1, as may be revised from time to time, including submission of the case summary to the mediator by _____.

6. A stay is hereby entered in this as to: _____
_____.

Date: _____

So Ordered:

/s/ _____

United States
Bankruptcy Judge

APPENDIX C

-DO NOT FILE WITH THE COURT-

Debtor: _____ Case No. _____

Plaintiff/Movant: _____ Adversary Proceeding No. _____

Defendant/Respondent: _____ Contested Matter No. _____

CASE SUMMARY FOR MEDIATOR

1. State your individual name, street address, e-mail address and telephone number. Also state the name of the party that you represent if you are completing this Case Summary as counsel to a party:

2. State the status of the case, the nature of any orders entered relevant to the disputes to be mediated, and what discovery, if any, remains to be completed:

3. Describe in detail your claim(s) or defense(s), and the material facts on which they are based (giving relevant dates, and the legal authorities on which you rely). Include citation to any provisions of the Bankruptcy Code on which you rely and explain

how they relate to your claim(s) or defense(s). If necessary, please append a Supplemental Memorandum (“Supplement”) for your response.

4. State the name, street address and telephone number of each person who has material knowledge of facts relating to this controversy and specify his/her area of knowledge or expertise. If necessary, please use a Supplement for your response.

5. Describe each key document that relates to the issues and facts. You are encouraged to attach a copy of each such document. If necessary, please use a Supplement for your response.

6. Describe each additional item of physical evidence, if any, that relates to the issues and facts, give its location and state the name, street address and telephone number of each person who has it. If necessary, please use a Supplement for your response.

7. State the name and street address of each insurance company, guarantor, bonding agency or co-obligor who is claimed by you to be responsible, in whole or in part, for the damages claimed against you. If necessary, please use a Supplement for your response.

8. Describe the factual basis and legal authority for any other material matters that you believe will support the amount of any recovery or which will operate to bar or diminish any recovery. If necessary, please use a Supplement for your response.

9. If any portion of your claim(s) or defense(s) is based on an agreement, custom, practice or course of conduct (“Accord”), that is not in writing, state the material terms and the dates of such Accord. If necessary, please use a Supplement for your response.

10. Describe each item of recovery, damage or cost that you claim, and for each such item state the amount and show how it is computed. If legal fees and expenses are claimed, set forth the legal basis upon which they are based. If necessary, please use a Supplement for your response.

/s/ _____

Signature of party or counsel

Address:

Telephone No.

E-mail address:

Date:

Certificate of Service

The foregoing Case Summary for Mediator was served on this ____ day of ____, 20____
upon all counsel of record and pro se parties by e-mail or United States mail, first-class, postage
prepaid as follows:

NOT NEEDED FOR EX PARTE SUBMISSION

APPENDIX D

UNITED STATES BANKRUPTCY COURT

[INSERT APPROPRIATE CAPTION]

MEDIATOR'S CERTIFICATE

The undersigned Court appointed mediator hereby certifies that:

1. On _____, mediation session(s) was/were held by the undersigned and the parties and their counsel were present in person, by telephone or video conference in accordance with Amended Chamber's Order No. 1.
2. A settlement of the matter has been/has not been reached.
3. (If settlement has been reached) _____ shall prepare the stipulation for settlement and _____ shall prepare any necessary Rule 9019 motion.

DATED: _____

Mediator Name and Address

Telephone Number and Email Address

(Original to be filed with the Court, Service of copies by the Court's CM/ECF system, mail or email to be made on all mediation parties or their counsel)