

SAMPLE ARBITRATION SCHEDULING ORDER NOT USING AAA or OTHER TRIBUNAL

SCHEDULING ORDER - PROCEDURAL ORDER NO. 1

As a result of the Case Management Conference held _____ with counsel for both parties, the following is the agreed upon process for this Arbitration.

Although this matter has been submitted to the Arbitrator privately, the parties agree to follow the rules set forth in [INSERT RULES SUCH AS AAA, CPR OR COURT] for the conduct of this Arbitration.

1. Hearing on the Merits

The hearing will be held on _____ at a location to be determined within Connecticut. The location will be set no later than the Status Conference set for _____ as listed below. At the Status Conference, the Arbitrator and the parties also will discuss whether the hearing will be held online using Zoom technology.

2. Claims and Counterclaims

At this time, Respondent does not anticipate filing a counterclaim.

3. Discovery

- a. The parties will propound Production Requests no later than _____.
- b. Responses to Production Requests must be filed by _____.
- c. Each party will be entitled to take up to two depositions.
- d. All discovery, including depositions, must be completed by _____.

ADD PROVISIONS ON EXPERTS AS NECESSARY

In the event there are issues related to discovery, the parties shall prepare a letter or e-mail to opposing counsel outlining the dispute, at which point the parties will meet and confer in attempt to resolve the dispute without involving the Arbitrator. In the event the dispute is not resolved, both parties have the right to seek relief from the Arbitrator by sending a letter, no more than three pages, outlining the dispute. The Arbitrator strongly recommends resolution by the parties.

4. Pre-Hearing Matters

Respondent plans to file a Motion for Summary Judgment. Such Motion must be filed by _____. Claimant will respond by _____. The Arbitrator will issue a ruling no later than _____.

The Respondent's motion and the Claimant's response will be limited to 30 pages in the format required by the U.S. District Court for Connecticut.

5. Briefs and Decision

There will be no additional pre-arbitration briefs. The parties will file post-hearing briefs no later than _____, or by a date as modified by the Arbitrator. The Arbitrator will issue the decision by _____, or no later than 30 days after the date set for submission of the post-hearing briefs.

6. Exhibits

The parties will identify and exchange exhibits by _____.

The parties will provide the exhibits in a notebook format and will identify as many joint exhibits as possible. Exhibits will be provided to the Arbitrator by _____. Copies of the exhibits will be brought to the hearing.

7. Court Reporter

The parties will employ a court reporter to transcribe the proceedings. Claimant will arrange for the reporter.

8. Form of Award

The Arbitrator's decision will [be a Reasoned Award, or Include Findings of Fact and Conclusions of Law.

9. Status Conference

The parties will hold a Status Conference via telephone or Zoom on _____. The Arbitrator will send out a call-in number or Zoom invitations in advance.

10. Communications

The parties and the Arbitrator will communicate via e-mail. If the submissions to the Arbitrator contain large attachments, they should be sent in hard copy via overnight mail. There should be no ex parte communications with the Arbitrator.

D. Charles Stohler
Arbitrator D. Charles Stohler
STOHLER ADR PLLC
243 Steele Road, Suite 134
West Hartford, Connecticut 06117
dcs@stohlerADR.com