

NJ MEDIATOR RESOLUTION SERVICES, LLC

Monmouth Shores Corporate Park

1305 Campus Parkway, Suite 200

Wall, New Jersey 07753

John F. Gelson Esq., Arbitrator

_____	:	SUPERIOR COURT OF NEW JERSEY
	:	_____ DIVISION-_____ COUNTY
	:	DOCKET NO.
	:	
Plaintiff,	:	
vs.	:	Civil Action
	:	
	:	CONSENT ORDER FOR
	:	DISMISSAL AND BINDING
	:	ARBITRATION
	:	
Defendant.	:	
_____	:	

This matter being opened to the Court by _____, Esq., attorney for Plaintiffs, and _____ Esq., attorney for Defendant and the Court having found that the parties have agreed to submit this matter to binding arbitration; and for good cause shown

It is on this _____ day of _____, 2011

ORDERED as follows:

I. ARBITRATION

1. The parties hereby submit this matter to Binding Arbitration pursuant to the terms and conditions set forth herein.

2. This action is hereby dismissed with the right to re-open for the purposes of docketing the Arbitrator decision as a judgment pursuant to *N.J.S.A. 2A:24-7* or for enforcing the terms of this Order or other circumstances which the Court deems equitable and just.

II. ARBITRATOR

1. The parties agree that the Arbitrator shall be John F. Gelson, Esq.
2. This matter will require _____ (____) days of arbitration.
3. The arbitrator shall be paid jointly by the parties at a rate of \$400.00 per hour. At the conclusion of the case, the arbitrator has the discretion to award legal fees which he deems to be fair and equitable if he believes same is warranted.
4. The arbitration hearing shall take place on _____ at **10:00 a.m.** at the office of NJ MEDIATOR RESOLUTION SERVICES, LLC, located at 1305 Campus Parkway, Suite 200, Wall Township, New Jersey.

III. DISCOVERY

The parties agree to engage in the following discovery prior to the hearing:

DUE DATE

- ☐ Exchange of Interrogatories and Document Requests
- ☐ Exchange of Expert Reports
- ☐ Depositions of Parties
- ☐ Witness List, Arbitration Statement and all documents to be relied upon at the time of hearing shall be exchanged 10 days prior to hearing and forwarded to Arbitrator

IV. EXPERT TESTIMONY

☐ 1. Expert witnesses must testify at the hearing. No written reports and letters shall be considered by the Arbitrator unless the witness is present, or the parties agree otherwise prior to the arbitration date.

V. RECORD

☐ None

☐ Certified Shorthand Reporter

☐ Optional. Either party may produce a Certified Shorthand Reporter at its own expense.

VI. EVIDENCE

☐ The hearing shall be governed by the Rules of Evidence and Procedure which apply to proceedings in Civil Courts.

☐ The hearing shall be governed by the Construction Industry Rules of the American Arbitration Association to the extent that they do not conflict with the Consent Order.

☐ The Arbitrator shall, consistent with *R.4:21(A)-4(c)* hear everything that will aid in a just determination of the case. As to evidence received in documentary form, it shall be given only such weight as the Arbitrator deems appropriate after consideration of any objections made to its submission.

VII. ARBITRATORS DECISION

The Arbitrator shall submit a short written decision to all parties setting forth his decision within thirty (30) days from the conclusion of the hearings.

IX. JUDGMENT

The decision of the Arbitrator may be docketed as a judgment pursuant to *N.J.S.A. 2A:24-7*.

We hereby consent to the entry of the within Order.

, Esq.

, Esq.

Dated:

SO ORDERED

Dated:
