

ARBITRATION AND MEDIATION

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At O'Neil Cannon, our reputation for trying and winning cases has enabled us to successfully conclude negotiated settlements in pending and threatened litigation and to facilitate the resolution of disputes in situations where the futures of important business relationships are at stake.

Arbitration and mediation are two examples of the alternative dispute resolution (ADR) approaches we employ. In the right cases, ADR techniques offer strong results and less expensive, more efficient alternatives to the litigation process.

Arbitration

Arbitration allows parties involved in a dispute to seek a resolution of it in a structured, but private, setting that resembles litigation and offers essentially the same finality as litigation, but ordinarily at a significantly quickened pace. The parties may choose to follow the arbitration rules and procedures of the American Arbitration Association, or other business and trade associations, or devise their own protocol and procedures.

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Our attorneys have extensive experience in arbitrations of a wide range of disputes, including corporate, contract, insurance coverage, securities, construction and employment and labor matters. We provide a full range of arbitration-related services, including drafting of arbitration agreements, formulation of arbitration rules and procedures, representation and advocacy at arbitration, and enforcement of arbitration awards.

Mediation

In mediation, an impartial person, sometimes referred to as a "third-party neutral," facilitates a negotiation between the parties involved in a dispute. Typically, the parties and their

attorneys meet with a mediator and engage in negotiations over possible resolution of their disputed claims. At the mediation session, the mediator usually meets separately with the parties and their counsel to assess the dispute and possible resolution of it in the hope of assisting them in arriving at a compromise. The mediation typically shuttles between the parties during the course of the mediation to exchange offers in an attempt to resolve the dispute.

Our attorneys have substantive experience with mediation of business disputes. They have worked to successfully resolve a vast number of disputes at mediation, including complex business disputes, multi-party disputes, disputes where emotions are high, and disputes where prior settlement negotiations have failed. Lawyers

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