

In the Matter of the Arbitration of  
\_\_\_\_\_ V.

\_\_\_\_\_

Preliminary Hearing and Scheduling Order

Pursuant to the Commercial Arbitration Rules of the American Arbitration Association (AAA), the parties submit the following Hearing and Scheduling Order, by agreement:

1. A preliminary hearing to resolve any outstanding issues shall be held (pick one):

date/time/location: \_\_\_\_\_

[or]

if needed, by mutual agreement.

2. The parties shall amend/specify claims and/or counterclaims, and file any motion to join additional parties by \_\_\_\_\_.

3. The parties shall file a stipulation of uncontested facts by \_\_\_\_\_.

4. Claimant shall serve and file a disclosure of all witnesses reasonably expected to be called by Claimant on or before \_\_\_\_\_.

Respondent shall serve and file a disclosure of all witnesses reasonably expected to be called by Respondent on or before \_\_\_\_\_.

Disclosure of witnesses shall include the full name of each witness, a short summary of anticipated testimony, copies of any expert reports, and a written C.V. of all experts.

5. On or before \_\_\_\_\_, the parties shall exchange copies of all exhibits to be offered, and all schedules, summaries, diagrams and charts to be used at the hearing. Each proposed exhibit shall be premarked for identification.

The parties shall submit one complete set of exhibits to the arbitrator(s), on or before \_\_\_\_\_.

6. Hearings in this matter will commence on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. The parties estimate that this case will require \_\_\_\_\_ days of hearing time, including arguments and summations.

7. The parties shall submit prehearing briefs on all significant disputed issues, briefly setting forth the party's position and the supporting arguments and authorities, on or before \_\_\_\_\_,

8. The parties request that the arbitrator(s) prepare the following form of award:

- Standard Award
  - Reasoned Award
  - Findings of Fact and Conclusions of Law
- [choose one }

9. The parties do/do not request that a record be made of the hearing. Any party requesting that a record be made shall make arrangements for a court reporter.

10. The Arbitrator has proposed a total fee of \$\_\_\_\_\_. The parties agree to divide this fee evenly, and to pay the proposed fee prior to the hearing. The parties agree and understand that full payment of the arbitration fee is a pre-condition of proceeding with the hearing. The parties agree and understand that the fee may be adjusted in the event the hearing goes beyond the reasonably anticipated number of hearing days set forth above. The parties agree that the fees and expenses of the Arbitrator **may/ may not** be included in the Award to the prevailing party.

11. Other matters: \_\_\_\_\_.

12. This order shall continue in effect unless and until amended by subsequent order of the arbitrator(s).

Date: \_\_\_\_\_

\_\_\_\_\_  
Arbitrator

\_\_\_\_\_  
Arbitrator

\_\_\_\_\_  
Arbitrator

