WRITTEN MEDIATION STATEMENT OUTLINES

The following are examples of what to include in a (1) personal injury case mediation statement; and (2) non-personal injury case mediation statement.

(1) PERSONAL INJURY CASES

I. Identity of parties, including those individuals with the decision-making authority

II. Facts of Case
   A. Should contain clear statement of the basis of liability for each defendant.

III. Discovery
   A. All discovery completed to date.
   B. Anticipated use of discovery before trial.

IV. Injuries
   A. Diagnosis and Prognosis.
   B. Any permanent disability or scarring.
   C. Anticipated future treatment

V. Special Damages
   A. Medical bills
      1. Amount billed by healthcare provider.
      2. Amount paid to healthcare provider or still outstanding.
      3. Anticipated future medical bills.
   B. Lost Income
      1. Lost income to date.
      2. Anticipated future lost income.
   C. Property Damage
      1. Estimates from autobody repair shop.

VI. Liens
   A. Health Insurance.
   B. Car Insurance Med-Pay.
   C. Medicare.
   D. MediCal.
   E. Other third parties.
VII. Insurance Coverage

A. Policy limits for each defendant.
B. Any coverage issues.

VIII. Settlement

A. Negotiations
   1. Set forth all dates and amounts of all offers and demands as well as any conditions attached thereto.
(2) **NON-PERSONAL INJURY CASES:**

I. Identity of parties, including those individuals with the decision-making authority

II. Facts of Case

   A. If contract involved - attach copy or summarize materials terms.

II. Legal Issues

III. Discovery

   A. All discovery completed to date.
   B. Anticipated further discovery before trial.

IV. Special Damages and/or Relief Sought.

V. Insurance

   A. Policy limits for each defendant.
   B. Coverage issues.

VII. Settlement Negotiations

   A. Terms of all offers and demands.