



Mediation

Call us today! 1300 768 496



SHAW
DISPUTE RESOLUTION™
AUSTRALIA

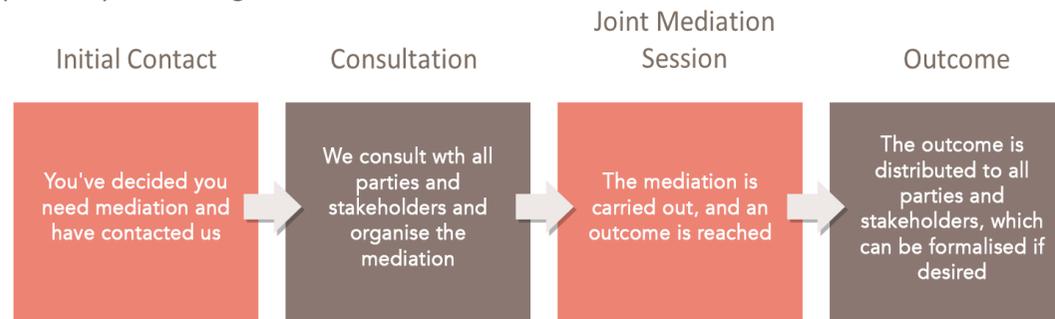


Introduction

Thank you for contacting SHAW Dispute Resolution to assist with your dispute. To help you in understanding what mediation is about, we've put together a short explanation about each step of the mediation. We want to make sure that you understand the process and so that the time we spend with you is productive & empowering, and that we can together achieve a better outcome.

What is Mediation? Mediation is a voluntary opportunity for you to move past your legal and personal problems with a future focus and control of the outcome. It is a meeting with relevant people with authority to make final decisions, run and controlled by the mediator.

What is the role of the Mediator? The Mediator does not represent you or anyone during the mediation. The Mediator is always independent, and they are not a decision maker, but they will provide you with a process for resolving your concerns and dispute. The Mediator will not provide you with legal advice.



How does the process start? As soon as you decide that you would like to proceed with mediation, we take care of everything.

- Prior to the mediation, the mediator will speak with you, either by phone or in person to invite you to participate in mediation. The mediator wants to hear about your concerns and the topics you need resolved to be able to make informed decisions and move past this difficult time to be able to get on with life.
- During this conversation, you are able to ask questions about how the mediation will proceed and the mediator will be able to describe how the mediation will feel and look for you.
- The mediator will have a similar private and confidential conversation with the other parties.
- You will also receive a document via email called the 'Agreement to Mediate' which will set out how the mediation will be conducted. You will need to sign this 'Agreement to Mediate', before the joint session of mediation can proceed.
- After your initial consultation with the Mediator, you will be sent a tax invoice for payment of your share of the mediation process (unless the mediation is being paid for by someone else).

We recommend and invite you to obtain any necessary advice, legal, accounting or otherwise, prior to the joint session of mediation if required.

So, what happens at the joint session of Mediation? At a mutually agreed date and time, everyone will meet for the joint session of mediation, which will be controlled by the Mediator. The Mediator will provide a safe environment and level playing field for everyone to have the chance to be heard and have their say.

The Mediator opens the joint mediation session and explains how the meeting will be run and sets out the ground rules and expectations about conduct and behaviours. The Mediator will expect your agreement and commitment to proceed. Everyone then raises their concerns and topics to create an agenda and the mediator then will move everyone through the agenda and record the outcomes reached.

Mediation is **not** therapy or counselling and does not require anyone to prove any facts. Mediation is about generating options and evaluating those options from everyone's perspective to resolve all the concerns and topics raised by everyone on the agenda.

Then what? During the mediation, the mediator will make notes and will record any agreement as it is made. At the end of the joint session, the mediator will read the agreements made for clarification and ask all parties to sign and date each page of the handwritten notes.

This mediation outcome document will be then typed up and distributed to the people that you agree should receive a copy, it is not a binding document, but can be legally formalised should you wish.



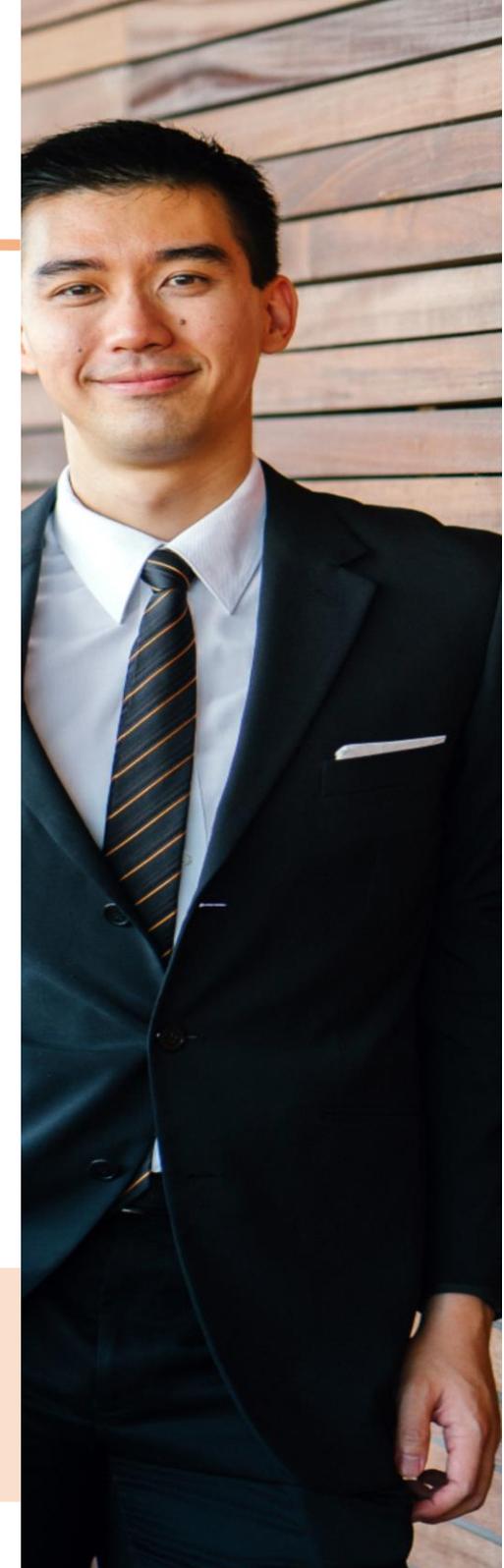
The SHAW Difference!

- All of our Mediators are Lawyers and Nationally Accredited Mediators who are outcome focused.**
- We arrange everything for the mediation – our Dispute Resolution Coordinator will take care of everything!**
- There is no waiting time for a Mediator as we have over 30 Mediators Australia wide.**
- We ensure that parties have allocated time to speak with the Mediator prior to going into a joint session.**
- We offer fixed price mediation.**
- We provide a dispute resolution option that is a fraction of the costs of litigation.**
- We provide a service that is confidential and can safeguard reputations.**

We have specialist Mediators in each State that can Mediate a range of disputes:

- | | | |
|--|--|--|
| <input type="checkbox"/> Discrimination | <input type="checkbox"/> Environment & Planning | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Aboriginal and Torres Strait Issues | <input type="checkbox"/> Equal Opportunity & Sexual Harassment | <input type="checkbox"/> Personal Injury & Property Damage |
| <input type="checkbox"/> Accountancy | <input type="checkbox"/> Family | <input type="checkbox"/> Privacy |
| <input type="checkbox"/> Aged Care | <input type="checkbox"/> Franchising | <input type="checkbox"/> Professional Negligence |
| <input type="checkbox"/> Arts & Entertainment | <input type="checkbox"/> Government Privatization/Outsourcing | <input type="checkbox"/> Property/Retail shop leases |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Immigration | <input type="checkbox"/> Resources & Energy |
| <input type="checkbox"/> Bankruptcy & Insolvency | <input type="checkbox"/> Industrial Relations | <input type="checkbox"/> Sports Law |
| <input type="checkbox"/> Business | <input type="checkbox"/> Insurance | <input type="checkbox"/> Taxation & Superannuation |
| <input type="checkbox"/> Club & Associations | <input type="checkbox"/> Intellectual Relations | <input type="checkbox"/> Tourism & Hospitality |
| <input type="checkbox"/> Construction & Engineering | <input type="checkbox"/> Local Government | <input type="checkbox"/> Trade Practices |
| <input type="checkbox"/> Consumer/Fair Trading & Liability | <input type="checkbox"/> Maritime | <input type="checkbox"/> Trust |
| <input type="checkbox"/> Contract | <input type="checkbox"/> Media & Communications | <input type="checkbox"/> Wills Estates & Succession |
| <input type="checkbox"/> Conveyancing | <input type="checkbox"/> Medical Negligence | <input type="checkbox"/> Workers Compensation |
| <input type="checkbox"/> Defamation | <input type="checkbox"/> Neighbourhood | <input type="checkbox"/> Workplace Disputes |

SHAW Dispute Resolution offers best-practice mediation with the assistance of professional, nationally accredited mediators who have strong legal backgrounds. Mediation prevents unnecessary stress and saves money and time. It can also save relationships and safeguard reputation. Mediation is charged as a fixed fee, paid only when everyone is committed to the joint mediation session.



Mediation Packages

Let's Talk Now

\$2000.00 + GST

Our **Let's Talk Now** package is a fast and efficient method to resolve a minor dispute. This package would be suitable in matters where there is a minor dispute between two people. Matters suitable for this package include: Debt recovery, bond disputes, minor complaints, co-worker disagreements, minor property matters, noise complaints etc.

Package includes:

- Up to 15-minute individual confidential consultation with each party prior to mediation
- Up to 2-hour joint session of mediation for 2 parties
- An outcome document
- Administration services

Our **Let's Talk Resolution** package is a comprehensive dispute resolution method to resolve a more complex dispute. Matters suitable for this package include: Business partnership disputes, franchising disputes, breach of contract/agreement, warranties/guarantees, Intellectual property, Inheritance/wills/deceased estates, family matters, property settlement, workplace disputes, return to work matters, discrimination or neighbourhood etc.

Package includes:

- Up to 1.5-hour individual confidential consultation with each party prior to mediation
- Up to 4-hour joint session of mediation for 2 parties
- An outcome document
- Administration services

Let's Talk Resolution

\$3000.00 + GST

Let's Talk Settlement

\$5000.00 + GST

Our **Let's Talk Settlement** package is a comprehensive dispute resolution method to resolve complex disputes. This package would be suitable in matters where there may be a legal matter surrounding the dispute. Matters include: Child support and property settlements, Business partnerships, franchising disputes, breach of contracts/agreement, Banking/finance/audit negligence, Product liability/insurance, breach of duty of care, Trade practices, Workplace contracts and agreements, Government privatisation, Inheritance, dismissal, leases etc.

Package includes:

- Up to 1.5-hour individual confidential consultation with each party prior to mediation
- Up to 8-hour joint session of mediation with 2 parties
- An outcome document
- Administration services

*The schedule of fees above applies to a mediation session for the specified participants and their advisors but **excludes venue** or facilities costs. Venue costs charged at cost + 15%. For each **additional participant** to the mediation there is an additional \$500.00 ex GST per party, per half day. In the event that the mediation exceeds the allowable hours, there is a charge of \$750.00 per hour that overtime occurs. We cannot guarantee a successful outcome at mediation but will endeavour to work with you to find a resolution should this be the case.*