



**JOHN SCHMIDT**  
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**MEDIATION AGREEMENT AND RELEASE**

The Parties to this mediation hereby agree as follows:

1. The parties understand that mediation is an agreement-reaching process in which the mediator assists parties in a collaborative, consensual, and informed manner. It is understood that the mediator has no power to decide disputed issues for the parties. The parties understand that the mediator's objective is to facilitate the parties themselves reaching their most constructive and fairest agreement.
2. The parties will keep confidential the discussions of the parties and other information disclosed in the mediation session unless information disclosed is available and developed through sources other than mediation proceedings.
3. The parties will not try to introduce, in any subsequent proceeding, the discussions of the parties and other information disclosed in the mediation session unless information disclosed is available and developed through sources other than mediation proceedings.
4. The parties understand that the mediator will not be rendering legal advice to either party and further the parties will not construe the mediator's involvement in any way as legal representation of both of them or either of them.
5. The parties agree that they will not subpoena the mediator to testify concerning the mediation session or to include the mediator as a party or as a witness either in any judicial proceedings now existing between them or in any proceedings that may be brought at a later time.
6. The parties agree that the cost of \$250 per hour for the mediation will be divided equally between the parties signing this agreement. The attorneys signing this agreement agree that it obligates both of them and the party they are representing for their share of the costs of this mediation.
7. The parties agree that they will not hold the mediator liable for the results of the mediation, whether or not they resolve their dispute.
8. The parties understand that the mediation process requires good faith efforts to be successful. They will pursue settlement of their dispute through the mediation process in good faith and use their best efforts in attempting to settle their disputes.

This \_\_\_\_\_ day of \_\_\_\_\_

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