

IC Form MSC3

THIS FORM IS TO BE USED UNDER THE RULES FOR MEDIATED SETTLEMENT CONFERENCES OF THE

NORTH CAROLINA INDUSTRIAL COMMISSION

Attn: Mediation Coordinator
430 North Salisbury Street
Dobbs Building
Raleigh, NC 27611

I. C. File No. _____
Emp. Code No. _____
Carrier Code No. _____
Carrier File No. _____

**ORDER FOR
MEDIATED SETTLEMENT
CONFERENCE**

Plaintiff

v.

Defendant

Carrier

Appearances

Name of Plaintiff or Plaintiff's Attorney

Telephone number of Plaintiff or Plaintiff's Attorney

Address of Plaintiff or Plaintiff's Attorney

Name of Defendant or Defendant's Attorney

Telephone number of Defendant or Defendant's Attorney

Address of Defendant or Defendant's Attorney

IT IS ORDERED that the parties in the above captioned case and their attorneys participate in a mediated settlement conference pursuant to NC General Statutes 97-80(c) and the Rules for Mediated Settlement Conferences of the North Carolina Industrial Commission (ICMSC Rules).

The conference shall be completed by _____, 199__.

The parties have 21 days from the date of this Order to select by agreement a mediator or to designate by agreement the Commission's list from which the parties desire that the Commission select a mediator. Within 21 days of the date of this Order, the Defendant or the Defendant's counsel shall file a stipulation as to the mediator or notice of the parties failure to agree on a mediator on IC Form MSC 4. See ICMSC Rule 2.

The parties and a mediator selected by agreement shall agree upon the mediator's rate of compensation. The mediator's fee will be paid at the conclusion of the conference. A mediator appointed by the Commission shall be compensated at the rate of \$100 per hour for time spent in the mediated settlement conference, to be billed in quarter hour segments. In addition, a \$100 preparation fee shall be paid unless the conference is canceled by the parties and a settlement agreement has been finalized, and the mediator is notified the cancellation more than seven days in advance of the date set for the conference. Parties are obligated for shares of the mediator's fee as specified in ICMSC Rule 7(d), unless they agree otherwise. The Defendant(s) shall pay the Compensation Plaintiff's share, as well as its own, and shall be reimbursed the Plaintiff's share when the case is concluded, or may withhold said share from any lump sum thereafter payable to Plaintiff; or, if none, then by reducing the last payment(s) of permanent partial benefits due; or, if none, as hereafter ordered on the motion of Defendant(s).

All parties, their attorneys and individuals with authority to settle the claim shall attend, as set forth in ICMSC Rule 4(a).

The parties shall exchange all medical and rehabilitation records available to the parties related to the injury in question and any recorded statements, expert opinions, reports and other documents, tapes and photographs that are relevant or material to the issues in controversy at least 15 days prior to mediation.

This case will be set for hearing on the next available calendar to be heard in due course unless sooner settled by mediation.

HEREBY ENTERED AND ORDERED, this ___ day of _____, 199__.

NORTH CAROLINA INDUSTRIAL COMMISSION

By: _____
Commissioner/Deputy Commissioner/Mediation Coordinator