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May 4, 2018

Via Electronic Mail

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Raymond A. Basile
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Re: *Zoe Cleaning Services, Incorporated d/b/a Zoe Facility Services v. Central
Nine Career Center*
Cause No. 41D04-1710-PL-000109

Dear Counsel:

Thank you for selecting me as mediator in this case.

SCHEDULING OF MEDIATION SESSION:

This matter has been scheduled to begin at **9:30 a.m. (EST) on July 25, 2018.**

LOCATION:

We have agreed that the mediation will take place here at our offices, located at 150 East Market Street, Suite 200, Indianapolis, Indiana.

LENGTH OF MEDIATION SESSION:

I have reserved one (1) full day on my calendar for the mediation.

FEE:

The parties will be billed \$300 per hour to be divided equally among the participants. The fee will be charged for time spent in the initial contact, checking for conflicts, reviewing and sending correspondence, reading submissions, conducting the mediation, and filing the report with the court.

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Counsel
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CANCELLATION FEE:

There will be no cancellation fee.

PARTIES REQUIRED TO BE PRESENT:

Pursuant to Ind. A.D.R. Rule 2.7(B)(2), all parties, attorneys and client representatives with settlement authority shall be present at the mediation conference. If circumstances prevent a party representative from being present at the mediation session, and if all counsel agree that a meaningful session can nevertheless be held, counsel should make arrangements for that party representative to be available to participate via speakerphone in the joint session and be thereafter available as necessary.

MEDIATION PROCESS:

A mediator (unlike an arbitrator) makes no decisions or findings; my function is to serve as a neutral third party and assist the parties in resolving the dispute.

The mediation session will be very informal; I will make a few brief remarks and then call upon the attorneys and/or the parties to briefly state their positions and the current status of negotiations. We may then break into separate sessions to try to find mutually acceptable solutions.

CONFIDENTIAL NATURE OF STATEMENTS:

As provided by Ind. A.D.R Rule 2.17, all statements made by the parties and attorneys during the mediation session shall be regarded as settlement negotiations and are not admissible as evidence at any further stage of the proceeding.

CONFIDENTIAL STATEMENT OF THE CASE:

Each party may, and is encouraged to, submit to the mediator a confidential statement of the case, not to exceed ten (10) pages, prior to the mediation conference which information should include but not necessarily be limited to the following:

- a. The legal and factual contentions of the respective parties as to both liability and damages;
- b. The factors considered in arriving at the current settlement posture; and
- c. The status of the settlement negotiations to date.

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The parties should be forthright with their assessment of their case, since this information will be held in confidence by the mediator and no information contained in the confidential statement will be conveyed to the other party without the prior express approval of the party submitting the information during the mediation session. Please submit the statements to me at least five (5) days prior to the mediation, although I will consider them whenever they arrive.

If you wish to send submissions via electronic mail please forward the submission to my email address (rskiles@skilesdetrude.com) as well as my scheduling assistance (dswenden@skilesdetrude.com).

I look forward to working with you to resolve this case.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard R. Skiles", is written over a horizontal line.

Richard R. Skiles

RRS/gkh