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CONSTRUCTION DISPUTE RESOLUTION SERVICES, LLC

SPECIALIZING IN MEDIATION & ARBITRATION & DISPUTE REVIEW BOARDS

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BINDING MEDIATION ADDENDUM

POST-MEDIATION
REVISED 01/01/21

The provisions of this addendum shall supersede all applicable provisions of the Agreement to Mediate.

1. The Parties have made every effort to resolve the disputed items with the assistance and direction of the mediator.
2. As the mediation efforts have concluded without a total settlement resolution on all disputed items, a Settlement Agreement was written to reflect the successfully resolved items and signed by the Parties. The Mediator shall now be authorized to render a final and binding decision on any of the disputed items or issues that could not be resolved by the Parties during the mediation. A separate Settlement Agreement shall be written to reflect the Mediators' decision(s) and it shall then be accepted and signed by the Parties. **If any or both of the Parties fail to sign the Binding Mediation Settlement Agreement, the terms of that Settlement Agreement shall be binding upon the Parties as a result of signing this Binding Mediation Addendum.**
3. The Parties acknowledge that the Mediator(s) may have been privy to certain personal, private, and confidential information that is volunteered by the Parties during the mediation session. The Mediator's decision(s) may be due in part to this information.
4. The Parties realize that the Binding Mediation Process is different than the Binding Arbitration Process. The Parties also realize that the enforcement of the Binding Mediation Settlement Agreement is different than the enforcement of an Arbitration Award.
5. The Parties understand that the Mediator and CDRS will be granted the same legal immunity as is granted an arbitrator.

ACCEPTANCE

PARTIES:

By: _____
Signature

Date: _____

Print Name

Print Company Name

By: _____
Signature

Date: _____

Print Name

Print Company Name