

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

,

Appellant,

Case No.

v.

,

Appellee.

\_\_\_\_\_ /

DATE:

ORDER OF REFERRAL TO MEDIATION

The foregoing case, having been reviewed by the Court, is hereby referred to Appellate Mediation.

**Within ten (10) days from the date of this Order, the appellant** shall advise the Court using the enclosed response or motion. If the parties agree on a mediator from the enclosed list of court-approved mediators to mediate this case, the court will enter an order appointing that mediator for this case. If the parties are not able to agree on a selection of a mediator from the enclosed list, the Court will appoint a mediator for this case from the attached list. If a party believes payment of mediation fees will cause an undue financial hardship on that party, a request for waiver of mediation fees may be filed on the enclosed form. The court may appoint a pro bono mediator for this case from the enclosed list.

**The mediation shall be completed within 45 days from the date of this Order** at a location agreed to by the parties or in the absence of an agreement, at a location selected by the mediator. The parties shall submit mediation summaries if and when requested by the mediator.

Parties with full settlement authority and counsel are required to attend mediation, unless excused from attendance by the Mediator. Failure of an attorney or party to appear for a duly scheduled mediation conference or otherwise comply with the appellate mediation program procedures, without good cause, may result in imposition of sanctions by this Court, including the striking of any party's briefs, denial of oral argument or dismissal of the appeal.

All appellate mediation sessions shall be confidential as provided for in Chapter 44, Florida Statutes, and the mediation will be conducted in accordance with the Florida Rules for Certified and Court-Appointed Mediators and the Fifth District Court of Appeal's administrative orders and rules regarding appellate mediation.

**The appellate time deadlines for directions to the clerk and court reporter, preparation and transmittal of the record and the filing of briefs are extended in this case for all parties, until 10 days after mediation is concluded.** [Mediation session has concluded with either an impasse or full or partial settlement].

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DATE

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JUDGE

cc: Counsel  
Clerk, lower tribunal  
Mediation Coordinator

Enclosures: Approved List of Mediators  
Motion for Waiver of Mediation Fees  
Response to Order of Referral to Mediation