

_____ County

Name And Address Of Party Requesting Prelitigation Mediation Of Farm Dispute

**APPOINTMENT OF MEDIATOR
IN PRELITIGATION
FARM NUISANCE DISPUTE**

NOTE TO PARTIES:

The party requesting mediation should check and fill out only one of the three Sections, sign below, and return to the Clerk of Court. G.S. 7A-38.3

Telephone No.

SECTION 1 - NOTICE OF SELECTION OF CERTIFIED MEDIATOR BY AGREEMENT

The parties have selected the mediator named below who has agreed to mediate their dispute. The mediator is certified pursuant to the Rules of Mediated Settlement Conferences.

Name And Address Of Certified Mediator

Telephone No.

The parties and the mediator have agreed upon the mediator's rate of compensation as follows:
(specify all terms of the compensation agreement)

SECTION 2 - NOMINATION OF NON-CERTIFIED MEDIATOR

The parties have selected the mediator named below who has agreed to mediate their dispute. The mediator is not certified and his or her name does not appear on the list of certified mediators maintained by the Clerk.

Name And Address Of Certified Mediator

Telephone No.

The parties petition the Court to approve the nomination and represent that the mediator is qualified to mediate this case by virtue of the following training, experience or other qualifications:

The parties and the mediator have agreed upon the mediator's rate of compensation as follows:
(specify all terms of the compensation agreement)

SECTION 3 - MOTION FOR COURT APPOINTMENT OF MEDIATOR

A request for prelitigation mediation of a farm nuisance dispute has been filed with the Clerk. The parties have been unable to agree on a mediator to conduct their prelitigation mediation. Pursuant to G.S. 7A-38.3(d), the parties move the Senior Resident Superior Court Judge to note the preferences of the parties set forth below and to appoint a certified mediator to conduct their mediation.

- One or more parties prefer the appointment of a certified attorney mediator.
- All parties to the action prefer the appointment of a certified non-attorney mediator.
- The parties have no preference as to whether the certified mediator appointed is an attorney or a non-attorney.

SIGNATURE

Date	Name Of Party Who Requested Mediation	Signature Of Party Who Requested Mediation
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ORDER OF APPOINTMENT

1. The selection of the certified mediator named in Section 1 on reverse side is acknowledged by the Clerk and the mediator is authorized to conduct the settlement conference.

The mediator shall be responsible for reserving a place and making arrangements for the conference and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediation shall be completed within Sixty (60) days of the date of this Order of Appointment, and the mediator shall report the results of the conference to the Court within seven (7) days after the conference is completed.

<i>Date</i>	<i>Signature</i>	<input type="checkbox"/> <i>Deputy CSC</i> <input type="checkbox"/> <i>Assistant CSC</i> <input type="checkbox"/> <i>Clerk Of Superior Court</i>
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2. The nomination of the non-certified mediator named in Section 2 on reverse side is approved by the Court and the mediator is authorized to conduct the settlement. disapproved by the Court.

(NOTE: Upon disapproval, the parties may select another mediator and report the selection to the Court within twenty-one (21) days of this Order.)

3. The parties having reported their failure to agree upon the selection of a mediator, the Court appoints the following certified mediator to conduct the mediated settlement conference.

<i>Name And Address Of Certified Mediator</i>	<i>Telephone No.</i>
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The mediator shall be responsible for reserving a place and making arrangements for the conference and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediation shall be completed within Sixty (60) days of the date of this Order of Appointment, and the mediator shall report the results of the conference to the Court with seven (7) days after the conference is completed.

<i>Date</i>	<i>Name Of Senior Resident Superior Court Judge (Type Or Print)</i>	<i>Signature Of Senior Resident Superior Court Judge</i>
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