



Form: 103

AGREEMENT TO MEDIATE (Contractual)

1. The parties to the dispute being, _____, Party A, and _____, Party B, entered into a contract (*details*), _____, a fair and accurate copy of which is attached hereto as Exhibit A. The parties are now in conflict regarding this contract and desire to have the following issues submitted to mediation with the Indian Institute of Arbitration & Mediation (IIAM):

(List issues or claims to be mediated):

Party A's Claims:

Party B's Claims:

2. The parties further agree to follow the IIAM Mediation rules and procedures for mediation.
3. In executing this document, the parties expressly agree to mediate in good faith and to either attend said mediation in person or to have in attendance at the same a representative having final and binding settlement authority.
4. The parties hereby agree to select the mediator and otherwise conduct the mediation in accordance with the Arbitration & Conciliation Act, 1996 and the IIAM Mediation Rules.
5. The parties shall pay the Mediator(s) fee and the IIAM administrative charges as intimated by the IIAM Administrator and as per the current IIAM Rules and Fee schedule.
6. The mediator shall not be presented by the parties as a witness in any arbitral or judicial proceedings.
7. The mediation proceedings shall be terminated –
- (1) By the signing of the settlement agreement by the parties on the date of the agreement; or
 - (2) By a written declaration of the mediator(s), after consultation with the parties, to the effect that further efforts at mediation are no longer justified, on the date of the declaration; or
 - (3) By a written declaration of the parties addressed to the mediator(s) to the effect that the mediation proceedings are terminated, on the date of the declaration; or
 - (4) By a written declaration of a party to the other party and the mediator(s), if appointed, to the effect that the mediation proceedings are terminated, on the date of the declaration.

So Agreed and Certified:

This ____ day of _____, 200____ .

Party A

Party B