



Magistrate Judge W. Brian Gaddy
Charles Evans Whittaker Courthouse
400 East Ninth Street, Chambers 6652
Kansas City, Missouri 64106
(816) 512-5745

STANDING ORDER FOR MEDIATIONS AND SETTLEMENT CONFERENCES

(1) MAP GENERAL ORDER

If the matter is before the Court as part of the Mediation and Assessment Program (MAP), the parties shall familiarize themselves with the MAP General Order, which is located on the Court's website at https://www.mow.uscourts.gov/sites/mow/files/MAP_GO.pdf.

(2) ATTENDANCE REQUIREMENT

Unless the Court allows otherwise by separate order, parties with full and complete settlement authority must personally attend the mediation. If a party is an individual, that individual must personally attend. If a party is a corporation or governmental entity, a representative of the corporation or government entity (other than counsel of record) with settlement authority must personally attend. If a party requires an insurer's approval to settle, a representative of the insurer with settlement authority must attend. Absent a showing of unusual and extenuating circumstances made before the start of the mediation, the Court will not permit a party to merely be available by telephone as an alternative to personal presence at the conference. The Court will also use Zoom video conferencing as an alternative to in-person mediation.

(3) MEDIATION STATEMENTS

Unless otherwise directed by the Court, each party shall submit a mediation statement at least **three business days prior to the scheduled mediation**. Mediation statements should be emailed to Chambers. Mediation statements should not be filed on ECF or provided to opposing counsel. The statement shall not exceed five pages in length and should contain the following information:

- a. A summary of the case, including claims and defenses, factual and legal issues in dispute, and proceedings to date (including any pending motions).
- b. An estimate of the damages claimed or other relief sought.
- c. A history of past settlement discussions, offers, and demands. If no such discussions have taken place, the Court recommends the attorneys discuss settlement and exchange demands and offers prior to the mediation.
- d. Identify any outstanding liens and whether a lienholder's representative should be required to attend the mediation.
- e. State whether joint sessions will be helpful or counterproductive.
- f. Address any other issues of which the Court should be aware prior to mediation.

(4) TIME ALLOTTED FOR MEDIATION

The Court generally will conduct mediations from 9:30 a.m. to 1:30 p.m. If the parties believe additional time is required, the parties should include this information in the mediation statement.

(5) CONFIDENTIALITY

Any statements made by a party during mediation will not be admissible at trial. If Zoom video conferencing is used, the Court will require all parties to acknowledge and agree that no portion of the mediation shall be recorded, retransmitted, rebroadcasted, or otherwise shared in any fashion.

(6) FORMAT

The Court will begin the mediation by permitting each side an opportunity to make a brief presentation to the other side. This will be followed by joint discussions with the Court and each side's private meetings with the Court. The Court expects the attorneys and parties to participate in good faith and be fully prepared to participate in these discussions and meetings. The Court also expects all parties to be willing to reassess their previous positions and explore creative means for resolving the dispute. The Court expects the parties to address each other with courtesy and respect and encourages the parties to speak frankly and openly about their views of the case.

(7) CANCELLATION OR RESCHEDULING

If the parties believe the mediation should be canceled or rescheduled, they should contact Chambers as soon as possible at (816) 512-5745.