

Geary D. Cortes

Judge of the Superior Court, Retired

Symphony Towers
Suite 2600
750 B Street
San Diego, CA 92101-8175



Phone (619) 515-5475
Fax (619) 687-3100
E-mail: gcortes@aol.com
www.judgecortes.com

AGREEMENT TO MEDIATE

- I. The undersigned, parties and attorneys, have agreed to mediate this matter with Geary D. Cortes, Judge of the Superior Court, Retired, serving as mediator. All communication in this mediation, including settlement proposals is confidential and may not be referred to in any subsequent proceeding or reported to a judge or other hearing officer. This mediation is covered by California Evidence Code Sections 1115 – 1128. The parties also agree to the fee schedule provided, which is incorporated by reference herein.
- II. The mediator will serve as a neutral intermediary to facilitate communication, negotiation and settlement of this matter. The mediator does not represent or advocate the position of any party. Statements by the mediator, even regarding legal issues or procedures, do not constitute legal advice; they are mere statements of personal opinion to facilitate communication. Any suggestions or assistance in the preparation of a settlement agreement including use of forms does not constitute legal advice. Any agreements should be independently reviewed and approved by counsel and the parties.
- III. Disclosure of privileged information during the course of mediation, to the mediator, or to any other participant, will possibly constitute a waiver of the privilege.
- IV. Should the mediation continue beyond the initial session, including any telephone communication between the mediator and any attorney or party, is covered by this agreement and the California Evidence Code.
- V. This agreement for mediation extends to all present and future judicial, quasi-judicial, administrative, arbitration, or other proceedings covered by the California Evidence Code.
- VI. Any settlement agreement reached, whether in writing or orally, may be enforced upon noticed motion of any party pursuant to Code of Civil Procedure, Section 664.6.

Executed on _____, San Diego, California.

