



:: MARCEL ALTER
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SOLICITORS & RESOLUTION CONSULTANTS

Dear Mr. Med Arb,

I am in dispute with my Widget Manufacturer (The Widgets failed to meet the Snurgle test). I believe I have a good chance of success if the matter goes to a Hearing. However I need to dispose of this matter as quickly as possible and I would like to be able to deal with them in the future. Which Dispute Resolution System should I choose?

Dear Widgy,

We are all concerned by the failure of a "Snurgle Test" as it sounds very serious for limb and life. However, without more details, we are struggling to advise. This is often a problem where there is no experienced Intake Officer to assist in placing the "Right Problem" with the "Right Person". My friends and I have put on our hats and here are our comments to assist you in deciding.

MR ARBITRATOR

I can appoint a date for an Interim Hearing to assess the issues; fix who the parties are; see what Experts are to be called; determine the procedure to be used; decide if discovery on interrogatories will be necessary. Depending on the complexity of the matter and when parties and evidence is available, I can determine the matter quickly. I will need the parties to define the issues so that we all know what I am deciding. Once I have given a decision as to who is right and who is wrong and who is at fault, you can then deal with your Widget Maker with confidence as to the future.

MR MEDIATOR

Obviously I need more information. If you are able to set out a short history, it would be of some help. I note that one of the matters you wish is to preserve the relationship with your Widget Maker and deal with them in the future. A meeting can be arranged



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at short notice and as long as the parties that attend have authority to make decisions the matter can be resolved. I will assist the parties to explore the real issue, express actual concerns, examine the present context and allow the parties to find a solution that is mutually acceptable. The solution should enable all the parties to preserve their relationship and make decisions about the future. Our focus will be on the issues that really matter to the parties.

MR CONCILIATOR

I would also like more details and can arrange a meeting in a short space of time. Given my background in Law and being well versed in Contract and Commercial Matters at that meeting, the parties, with my assistance, can explore the issues and the likely outcomes. I can also assist the parties to understand what the consequences of their relative positions are, and the likely outcomes. If no agreement is reached as to the future relationship I may also be able to make no binding suggestions as to where the relationship should go.

MR FACILITATOR

As the problem needs to be tackled quickly, I can call a meeting of all the interested parties so that they can explain to each other and me the issues and concerns. I can then work with the parties to reach a mutually accepted position. This may include arranging for the assistance of Experts, a view of the Work Place and the actual Widgets, suggesting the possible ramifications to the manufacturer, and all steps



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needed for the parties to ensure that they can continue to operate and that the Snurgle Test never fails again.

We trust that the views of my Colleagues assist you but you may also wish to consider the fact that we have Colleagues who perform **Expert Evaluations**. This Colleague would be able to look at the manufacturing process and give you a non-binding assessment of what is the problem. Alternatively, if you wish to proceed to Litigation, we would also be able to arrange for a **Legal Evaluator** to assess the case and give both of you an opinion that may assist you in resolving the matter.

When it comes to Alternate Dispute Resolution, there are certainly more ways to go!

Marcel Alter
Assistant to Mr. Med ARB