

UNITED STATES DISTRICT COURT  
*for the*  
EASTERN DISTRICT OF NEW YORK

# MEDIATION REPORT

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July 1, 2005 - June 30, 2006

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ALTERNATIVE DISPUTE RESOLUTION

Gerald P. Lepp,  
Alternative Dispute Resolution  
Administrator

Megan Awerdick,  
ADR Student Intern

Edward Warren,  
ADR Student Intern

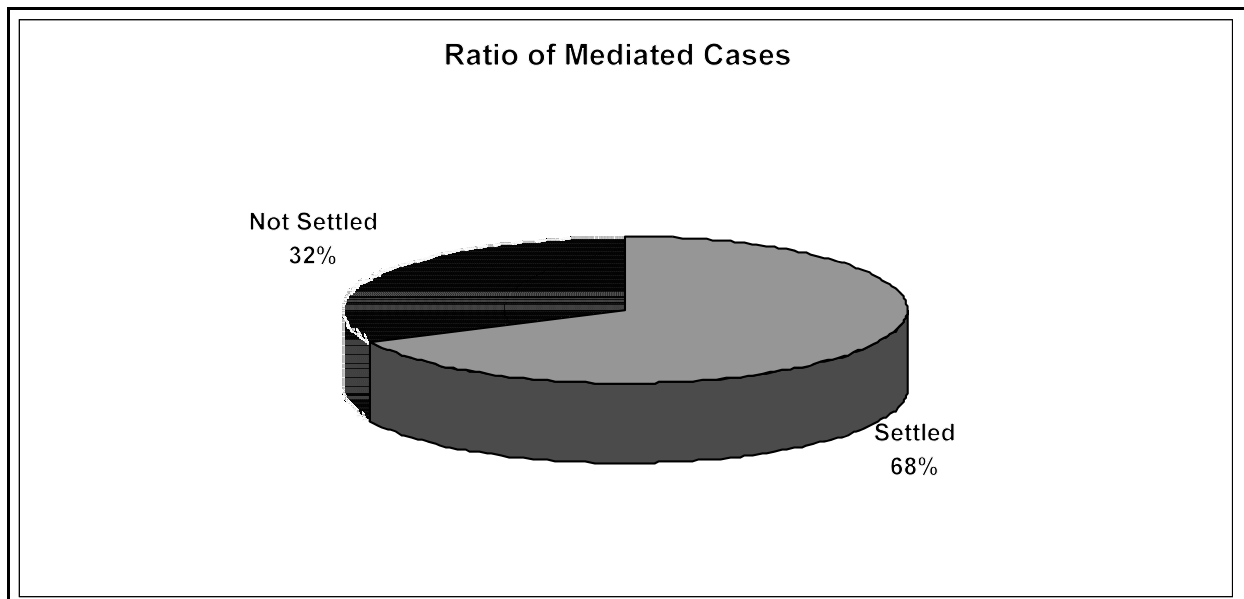
## 1. The Number of Referred Cases

Between July 1, 2005 and June 30, 2006, 151 cases were referred to mediation. Of the 151 cases, mediation session took place in 84 cases, 66 cases are still pending and 1 case was withdrawn.

Status of Case	# of Cases
Settled	57
Not Settled	27
Pending	66
Withdrawn/etc	1
<b>Total</b>	<b>151</b>

## 2. The Rate of Settlement at Mediation

Of the completed cases, 57 cases or 68% were settled as a result of mediation. This number does not reflect cases that settled after they were returned to the court.

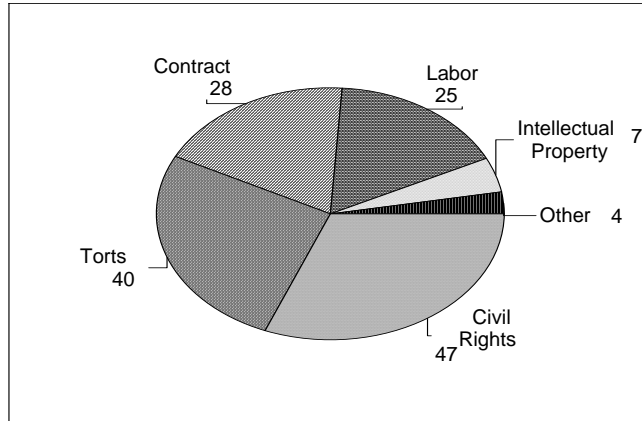


\*Excludes cases which were withdrawn or dismissed.

### 3. Mediation Referrals by Cause of Action

Causes of action for civil rights and tort combined were 57% of total mediation referrals during this period.

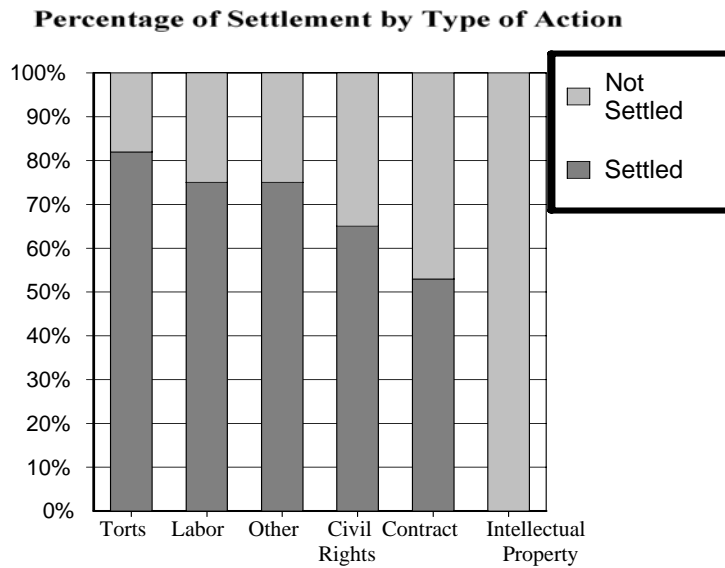
**Cases Referred to Mediation**



Cause of Action		# of Cases	Percentage(%)
Civil Rights	Employment Discrimination	31	21
	Other Civil Rights	16	10
Torts	Personal Injury	19	13
	Motor Vehicle	11	7
	Other Torts	10	7
Contract	Contract: Other	22	15
	Insurance	6	4
Labor	E.R.I.S.A.	12	8
	Fair Labor Standards	11	7
	Other Labor	2	1
Intellectual Property	Copyright	1	1
	Trademark Infringement	5	3
	Patent Infringement	1	1
Other		4	2
TOTAL		151	100

\*Excludes cases which were withdrawn or dismissed.

#### 4. The Percentage of Settlement by Cause of Action at Mediation

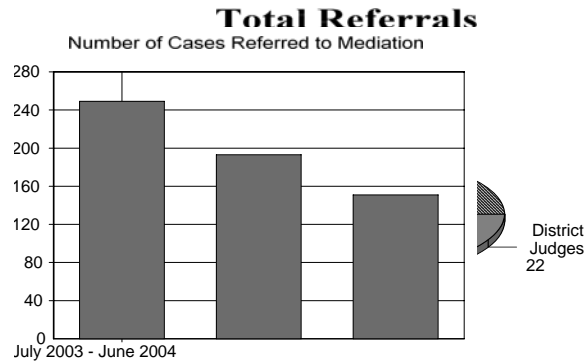


Cause of Action		%		# of cases		
		Settled	Not Settled	Settled	Not Settled	Pending
Civil Rights	Employment Discrimination	74	26	14	5	12
	Other Civil Rights	50	50	5	5	6
Torts	Personal Injury	71	29	5	2	1*
	Motor Vehicle	80	20	4	1	6
	Other Torts	100	0	5	0	5
Contract	Contract: Other	39	61	5	8	9
	Insurance	100	0	4	0	2
Labor	E.R.I.S.A.	100	0	8	0	4
	Fair Labor Standards	50	50	4	4	3
	Other Labor	--	--	0	0	2
Intellectual Property	Copyright	--	--	0	0	1
	Trademark Infringement	0	100	0	1	4
	Patent Infringement	--	--	0	0	1
Other		75	25	3	1	0

\*Excludes cases which were withdrawn or dismissed.

## 5. Judge referral Statistics

Out of 151 cases sent to mediation, 22 cases (14.6%) were referred by District Court Judges and 129 cases (85.4%) were referred by Magistrate Judges.



## 6. Cases Decreased

From the prior year (July 2004 ~ June 2005) to the last year (July 2005 ~ June 2006), 42 fewer cases were referred to mediation.

\*Excludes cases which were withdrawn or dismissed.