

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF)	Civil Action No. _____
)	
)	
)	
Plaintiff(s),)	
)	
vs.)	MEDIATION AGREEMENT
)	
)	
)	
Defendant(s).)	
_____)	

THE UNDERSIGNED PARTIES and their attorneys hereby agree that the above matter shall be submitted to a mediated settlement conference pursuant to the applicable rules, guidelines and court orders, and further acknowledge that:

1. Communications during the mediated settlement conferences are confidential, and the parties shall maintain the confidentiality of the mediation and shall not rely on, or introduce as evidence in any arbitral, judicial or other proceeding, any oral or written communications having occurred in a mediation proceeding, including, but not limited to:
 - (a) Views expressed or suggestions made by another party with respect to a possible settlement of the dispute;
 - (b) Admissions made by another party in the course of the mediation proceeding;
 - (c) Proposals made or views expressed by the mediator;
 - (d) The fact that another party had or had not indicated willingness to accept a proposal for settlement made by the mediator; or,
 - (e) All records, reports or other documents created solely for use in the mediation.

2. The mediator may meet and consult individually with any party or parties or their counsel during the conference. Confidential information disclosed to a mediator by parties or by witnesses in the course of mediation shall not be divulged by the mediator.

3. No communication by a party or attorney to the mediator in private session shall operate to waive any attorney-client privilege.

MED - (11/95)