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## STANDING ORDER FOR ALTERNATIVE DISPUTE RESOLUTION

The Court has determined that the case in which the parties were referred to this order in the Docket Control Order is appropriate for Alternative Dispute Resolution (ADR) pursuant to Tex. Civ. Prac. & Rem. Code Section 154.001, et seq. Accordingly, it is hereby

ORDERED that all parties are referred to use an ADR procedure described in Tex. Civ. Prac. & Rem. Code 154.023 through 154.028. If the parties do not agree on an ADR procedure, the parties are ORDERED to Mediation with the Montgomery County Dispute Resolution Center at (936) 760-6914. The parties are to schedule ADR through their counsel, or personally if they are unrepresented by counsel. If no agreed date can be scheduled, then the ADR provider or, if applicable, the impartial third party agreed upon by the parties, shall select a date and all parties shall appear as directed. The date scheduled by ADR provider/impartial third party is incorporated in this Order as the date upon which the ADR procedure shall occur. ADR can be rescheduled by agreement of the parties before the ADR deadline; however, **the deadline to complete the ADR procedure is no later than thirty (30) days prior to the trial date scheduled in the Docket Control Order.**

Counsels for all Parties shall confer on their preferred ADR, with the Plaintiff Counsel Ordered to initiate this conference. If Plaintiff Counsel fails to initiate, Opposing Counsel shall still make an effort to confer on ADR method. If Counsel cannot agree on an ADR, follow the default in the Court's standing Order from the link above. If Counsel cannot agree on a mediator, they may file a motion for appointment of a mediator. If any Party fails or refuses to communicate concerning ADR, Counsel should file a motion to compel.

**Failure to follow the Court's ADR requirement could result in sanctions to Parties and/or Counsel, after being noticed of a show cause hearing.**


IT IS FURTHER ORDERED that the administration fees for the ADR procedure, if any, and the fees charged by any agreed upon impartial third party, are to be divided and borne equally by the parties unless agreed otherwise, shall be paid by the parties directly to ADR provider/impartial third party, and shall be, and are hereby, taxed as costs of court.

IT IS FURTHER ORDERED that a statement of the fees charged and the amounts each party paid shall be filed with the District Clerk by the ADR provider/impartial third party for inclusion in the Bill of Costs.

IT IS FURTHER ORDERED that, upon completion of the ADR procedure, the ADR provider/impartial third party is directed to advise this Court, in a writing filed with the Clerk, when the process was completed, whether the parties and their counsel appeared as ordered, and whether a settlement resulted.

As provided by Tex. Civ. Prac & Rem. Code 154.053 and 154.073, all matters, including the conduct and demeanor of the parties and their counsel during the ADR process, are to remain confidential and will not be disclosed to anyone including this Court. Except as may be permitted by Tex. Civ. Prac. & Rem. Code 154.073, neither the ADR provider/impartial third party nor their records and files shall be subject to a subpoena or to a request for production filed by any person.

SO ORDERED on the 18<sup>th</sup> day of March, 2024.

A handwritten signature in black ink, reading "Vincenzo J. Santini". The signature is written in a cursive style with a large, sweeping initial "V".

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Vincenzo J. Santini, Presiding Judge of the 457<sup>th</sup> District Court