

MEMORANDUM IN SUPPORT

Counsel for both sides in this case have been trained in collaborative settlement techniques by the Collaborative Law Center, a Cincinnati-based, non-profit, alternative dispute resolution group. Collaborative law is an agreed forum of legal representation and negotiation whereby parties and counsel commit to working together, collaboratively and without Court intervention, in an effort to settle a dispute.

After having been advised of the collaborative law process, both plaintiff and defendant have asked their respective counsel to attempt settlement using this means. To that end, the parties and their counsel have signed an agreement - what they refer to as a "Collaborative Law Participation Agreement" - which sets forth how settlement will be attempted using collaborative law settlement techniques.

One rule of Collaborative Law, to which the parties and counsel have all agreed, is that no party or its lawyers may initiate any adversarial action against the other. In fact, the Participation Agreement provides that any adversarial Court filing can trigger a requirement for all counsel to withdraw from further representation of their parties. Since this litigation was already begun when the parties decided to enter into the Participation Agreement, or has been filed exclusively to preserve certain rights of the parties, the parties now seek the Court's assistance in suspending all further filing requirements.

The parties, jointly through their counsel, therefore respectfully request the

Court to stay this case for ____ days, during which time settlement will be attempted in good faith. The parties also jointly request that all pending motions - whether filed by plaintiff or defendant - be denied as moot, and without prejudice to the rights of the parties to refile such motions within fifteen days of the conclusion of the stay, should settlement efforts fail.

For the above reasons, the parties, jointly through their counsel, therefore seek a ____-day stay in this case, and a denial without prejudice of all pending motions. For the convenience of the Court, a Proposed Order is attached.

Respectfully submitted,

CERTIFICATE OF SERVICE
(attach here)