



**American Arbitration Association
Expedited Procedures**

Preliminary Hearing and Scheduling Order# _____

Case # _____

The commentary for the various sections of the Preliminary Hearing form is provided as guidance and does not supersede legal norms, provisions of the rules, codes of ethics, parties' arbitration agreements or arbitrator's authority. To protect the personal privacy and other legitimate interests, parties and their attorneys must not include, or must redact where inclusion is necessary from all pleadings, personal identifiable information such as social security numbers and financial account numbers. If account numbers are required, only the last four digits of a number may be used. Circumstances may prompt arbitrator to make decisions or take actions different from those illustrated.

Pursuant to the Commercial Arbitration Rules of the American Arbitration Association (the AAA) and the Expedited Procedures effective October 1, 2013, a preliminary hearing was held on _____ before Arbitrator _____.

Preliminary Hearing Attendees:

For Claimant: _____

For Respondent: _____

For the Association: _____

By agreement of the parties and Order of the Arbitrator, the following is now in effect:

1. Hearing:

OPTION 1 (Documents Only)

Pursuant to Expedited Procedures, this dispute will be heard via documents only. The following schedule shall apply to the submission of documents:

- i. Initial Submission Due:
- ii. Responses, if any, Due:
- iii. Replies, if any, Due:

OPTION 2 (In-Person Hearing)

A final in-person one day hearing will be held at _____ on _____ at _____ am/pm.

OPTION 3 (Telephonic Hearing)

A telephonic hearing will take place on _____ at _____ am/pm.

Should the hearing exceed one day, please confirm arbitrator compensation arrangements with the AAA.

2. Additional Status Conference (OPTIONAL): An additional status conference call is scheduled for _____ at _____ am/pm before the Arbitrator. The parties shall confer regarding a proposed agenda and shall submit a proposed agenda for the call no later than _____. If no agenda is provided, the call will be cancelled. This call may also be cancelled upon the mutual agreement of the parties.

3. Claim/Counterclaim: Pursuant to the direction of the Arbitrator, all parties shall amend/specify claims and/or counterclaims by _____. Responses, if any, are due by _____.

4. Motions: Pursuant to the Expedited Procedures, there will be no motions.

5. Discovery: Pursuant to the Expedited Procedures, there will be no formal discovery requests.

6. Exhibits: Exhibits to be submitted at hearing shall be exchanged at least two business days prior to hearing. The Association does not require a copy of the exhibits.

7. Communication:

OPTION 1 (All Communications to AAA for Transmittal to Arbitrator)

Any and all documents to be filed with or submitted to the Arbitrator outside the hearing shall be given to the AAA for transmittal to the Arbitrator. Copies of said documents shall also be sent to the opposing party(s). There shall be no direct oral or written communication between the parties and the Arbitrator, except at oral hearings.

OPTION 2 (Direct Exchange)

The parties agree to participate in Direct Exchange. Provided there is no ex parte communication with the Arbitrator, the parties may communicate directly with the Arbitrator by submitting documents to the Arbitrator and also sending copies to the other party and to the AAA (except for Hearing exhibits and discovery documents). Email submission of documents and email requests for action by the Arbitrator are allowed, provided that the AAA and all parties also receive copies of all of these. For convenience of the parties, the following are the email addresses to be used:

i. (Email Addresses)

There shall be no direct oral or written communication between the parties and the Arbitrator except as contemplated by this Order. Any communication to the Arbitrator shall be copied to the AAA.

8. Cybersecurity/Privacy: Having reviewed the AAA-ICDR Best Practices Guide for Maintaining Cybersecurity and Privacy and discussing what specific precautions might be required with regard to cybersecurity, privacy, and data protection in order to ensure an appropriate level of security for this case, the following measures shall be implemented:

[[describe cybersecurity/privacy measures]]

9. Award:

OPTION 1

A Standard Award shall be rendered not later than 14 calendar days from the date of the closing of the hearing.

OPTION 2

A Standard Award shall be rendered not later than 14 calendar days from the due date established for the receipt of the parties' final statements and proofs.

10. Disclosures of the Arbitrator: Each counsel and Party has a continuing obligation to protect the integrity of the arbitration proceeding by promptly providing the Arbitrator the information necessary to allow him/her to comply with his/her ongoing duties of disclosure pursuant to the Code of Ethics for Arbitrators in Commercial Disputes and the American Arbitration Association. Counsel, for themselves and for each of their clients, acknowledge the continuing obligation to supplement the identification of potential fact and expert witnesses, consulting experts, counsel participation and representation in any capacity, and any other individual or entity interested in the outcome of the arbitration. Any issues concerning disqualification of the Arbitrator shall be raised promptly with the AAA.

11. Deadline Enforcement: All deadlines stated herein will be strictly enforced and adhered to in order to avoid unnecessary delay and to ensure an expedient and fair resolution of this matter. This order shall continue in effect unless and until amended by subsequent order of the Arbitrator.

Dated: _____

Arbitrator Signature: _____