



## Alternative Dispute Resolution

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### Favorable Resolution Without a Trial

The Firm's Alternative Dispute Resolution Practice Group acknowledges that some civil cases are best resolved without a trial.

Alternative resolution occurs without a judge, jury or

arbitrator, and instead relies upon the services of a third party trained in alternative forms of dispute resolution, who facilitates settlement discussions and strategies on behalf of the opposing parties.

The Firm's experience in complex commercial litigation and personal injury cases allows the group's attorneys to advise clients on whether a trial or alternative form of resolution is more beneficial. An alternative to trial may be advisable in a broad spectrum of civil disputes. That may include personal injuries, commercial disputes, construction disputes or professional liability.

Weinberg, Wheeler, Hudgins, Gunn & Dial can provide legal counsel in every forum for resolving civil disputes, including:

### Facilitation

- The Firm's Alternative Dispute Resolution Practice Group can serve as neutral moderators to encourage settlement between parties. WWHGD attorneys can seek to build on common grounds for discussion and provide a knowledgeable third party view to reach a fair resolution.

### Mediation

- After the parties to the dispute present their respective positions, one or more neutral mediators will submit non-binding settlement value. Moderators can provide an objective view of the strengths and weaknesses of each party's position. This can be the basis for a formal resolution that is acceptable to both parties in the dispute.





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#### **Arbitration**

- This is most well-known and traditional alternative to courtroom litigation. One or more arbitrators, chosen by mutual consent, will hear and decide the dispute. The process allows the parties to exchange far less information than would be revealed in the discovery process preceding a civil trial. The decision in an arbitrated case is legally binding.

#### **Mini-Trials**

- These structured negotiations require each party to exchange information in the form of documents, interviews and depositions before the session. Typically, attorneys will present the case in a summary fashion. Moderators and senior management of both sides serve as judge and jury.

#### **Advantages of Avoiding Litigation**

Prior to engaging in alternative dispute resolution, the firm will evaluate the particular dispute and advise on the appropriate forum. Depending on the case, the firm's Alternative Resolution Practice Group can offer corporate clients advantages in economy, privacy, and convenience:

- Practice group attorneys can significantly reduce the time spent on hearings by strictly defining the information to be exchanged. The case can proceed smoothly because the firm includes attorneys who are knowledgeable in virtually every category of corporate litigation.
- Practice group attorneys can help safeguard your privacy by taking your case out of the courtroom setting. Civil trials are open to the public and documents involved in civil litigation are public records.
- The practice group can arrange for proceedings at locations and times convenient for you. Proceedings can be held at any mutually agreeable location, anywhere in the country, including the firm's Atlanta, Miami or Las Vegas law offices. Times can be scheduled without dependence on a court docket.