

ARBITRATION

Summary of Motor Carrier Neutral Dispute Settlement Program:

Neutral Arbitration:

The neutral arbitration program has been designed to give neither party any special advantage. If a dispute arises between the motor carrier and the consumer shipper, arbitration may be a mutually beneficial alternative to help resolve the dispute. Section 49 U.S.C. Section 375.211 provides that an interstate moving company must have a program in place to provide consumer shippers with an Arbitration alternative. Use of arbitration is optional for the consumer shipper and not required under federal law; for claims of \$10,000.00 or less, it is the consumer shipper's choice to use binding arbitration or not. For claims of \$10,000.00 or more, the interstate moving company may decline participation in neutral arbitration.

Summary of the Neutral Arbitration Process:

Arbitration is an alternative to courtroom litigation. It provides each party to the dispute the opportunity to present their cases and allows a neutral third party arbitrator to make decision as to the merits of each side's case. Arbitration subject to the neutral arbitration program shall be conducted via written submission and, subject to the arbitrator's discretion, through telephonic appearance. After the initial filing fees have been paid by each party and the neutral arbitrator selected by the parties, the initiating party or "Claimant" must submit a written summary of their legal position and factual claims. All supporting documentation must be included with the initial written arbitration summary. Upon receipt of the Claimant's written arbitration summary and supporting documents, the responding party or "Respondent" will have 30 days to file their responsive arbitration brief and supporting documentation. Further deadlines and timetables are subject to the neutral arbitrator's discretion.

Legal Effects:

If the arbitration alternative is chosen, then any decision made by the neutral arbitrator may be binding. Additionally, an arbitration decision may not be appealed in a court of law. If the consumer shipper's claim is for \$10,000 or less, then the moving company will be compelled to submit to neutral arbitration. If the consumer's shipper's claim is \$10,000 or more, then the moving company has the option to consent to the arbitration process or not. Under the terms and conditions of arbitration, the Arbitrator's decision will be based exclusively on the United States federal law governing interstate transportation of household goods without regard to conflicting State laws or regulations.

Initiating Arbitration:

Any party may initiate the process of arbitration by e-mail, mail, or faxing the referral form to the arbitration Administrator. Upon receipt of the form, the arbitration Administrator will contact the other parties, confirm their participation in the arbitration process, provide the appropriate information and make the final arrangements for the arbitration.

Applicable Costs:

Each party is responsible for their own costs associated with arbitration. A benefit to the arbitration alternative may be that it is less expensive than traditional courtroom litigation. Each party is responsible for 50% of the costs associated with securing the arbitrator and arbitration administration fees and 100% of their own expenses, including but not limited to attorney fees. The administrative costs for an arbitration are as follows: **There is a \$250 filing fee FOR EACH PARTY** and a supplemental charge of \$50 administration fee. Long distance telephone, fax charges and incidental costs incurred by the Administrator shall be billed to the parties as additional costs. The cost of the call in the conference call format will be submitted as an incidental cost. Subject to the terms of Conflict Resolution Services, Inc. **administrative and arbitration fees may be required to be paid in advance.**

Disclosures and Contact Information:

All arbitrations are required to be conducted by a neutral third party arbitrator. To submit a matter to arbitration please complete this form and send it to the arbitration administrator for processing. The arbitration administrator is not the neutral arbitrator and not affiliated with the arbitration service provider or the neutral arbitrator. The arbitration administrator is the motor carrier representative who will collect the information and liaison with the arbitration service provider. This informational brochure was provided to you by the Motor Carrier; for general information about the Motor Carrier's participation in the neutral arbitration program please e-mail their representative and arbitration administrator: Law Office of Michael Garcia, 525 B Street, Suite 1500, San Diego, CA 92101. Email: admin@michaelgarcialaw.com. website: www.michaelgarcialaw.com.

**TO SUBMIT YOUR MATTER TO ARBITRATION,
PLEASE FILL OUT THE FOLLOWING FORM AND
SEND IT TO THE MOTOR CARRIER'S
ARBITRATION ADMINISTRATOR.
admin@michaelgarcialaw.com.**

Arbitration Submittal Form:

Consumer Shipper:

First name	Last name	
First name	Last name	
Address		
City	State	Zip
Tel:	Tel:	
E-mail:		

Job/Order information:

Moving company Order Number/Job number:	Moving from which State to which State: (example: CA to FL)
Pick up date:	Delivery date: (if applicable)

Primary Moving Company: (Name of company on bill of lading contract)

Moving company name:	US DOT Number:	
Address		
City	State	Zip
Tel:	Tel:	
Contact person:	e-mail:	

Broker Company: (if applicable)

Broker company name:	US DOT Number:	
Address		
City	State	Zip
Tel:	Tel:	
Contact person:	e-mail:	

