



Rotary

THE ROTARY CLUB
OF NAPERVILLE 

**Service
Above
Self**

***BUSINESS MEDIATION: SAVING TIME, MONEY
RELATIONSHIPS***



September 9, 2015

PRESENTED BY:

Paul Simon



© 2015 Business Mediation Network, LLC
All Rights Reserved

Litigation Survey...

Over 500 Businesses

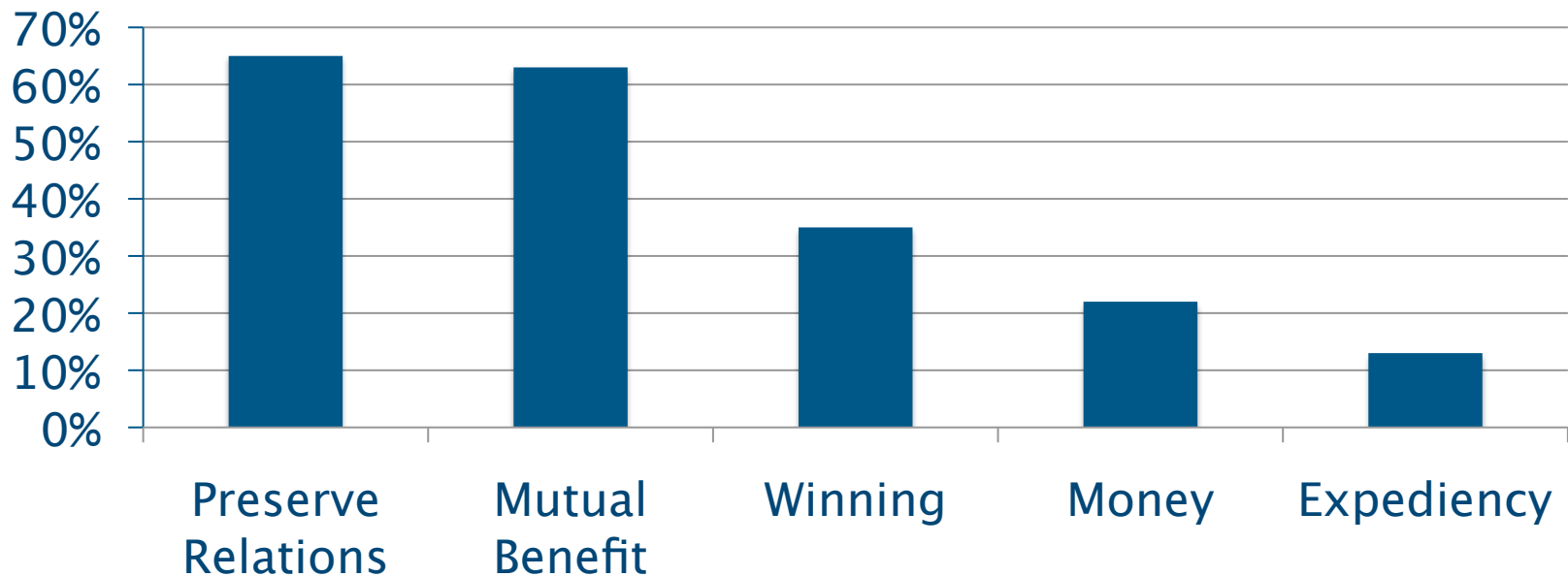
- ***Over the past 5 years, 44% of respondents had claims they did not pursue***
- ***Some of the potential claims exceeded \$100,000***
- ***Of the reasons given for not pursuing claims, 60% cited cost and 57% cited time – only 15% believed their claim was questionable***

Litigation Survey...

Over 500 Businesses

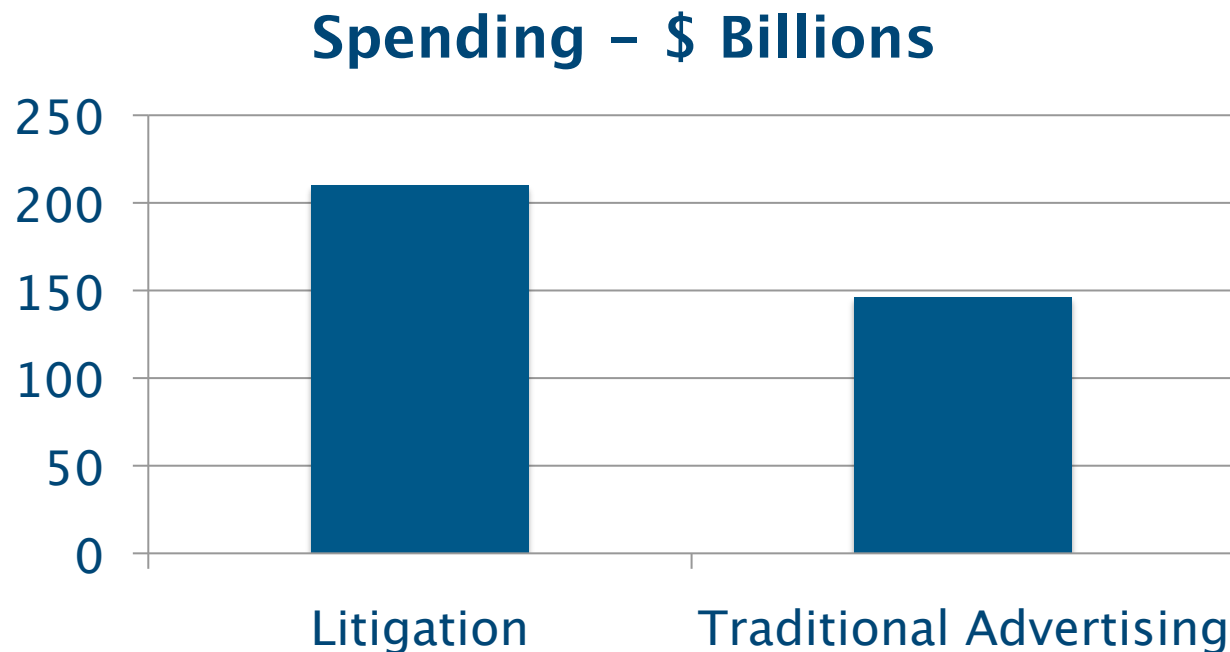
- When asked what is most important outcome in resolving disputes, businesses clearly value settlement over winning:***

Most Important Outcome To Dispute



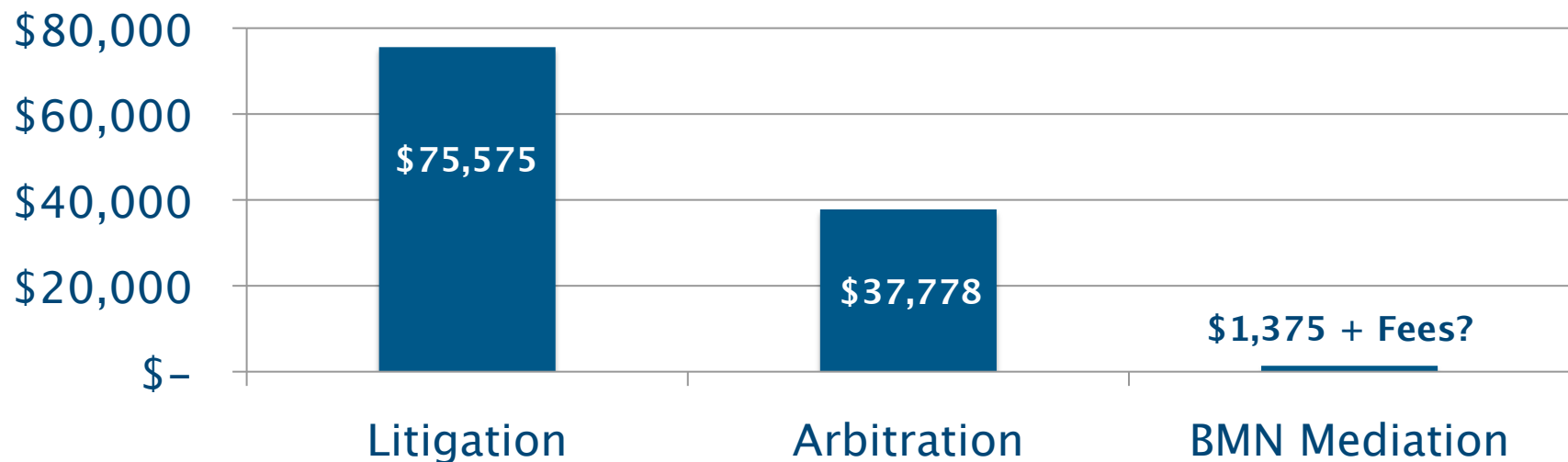
Business Litigation . . . A Good-Size Industry in Itself

- One report estimates that ***over \$200 billion is spent in litigation*** by Fortune 500 companies – over 1/3 of annual net profit



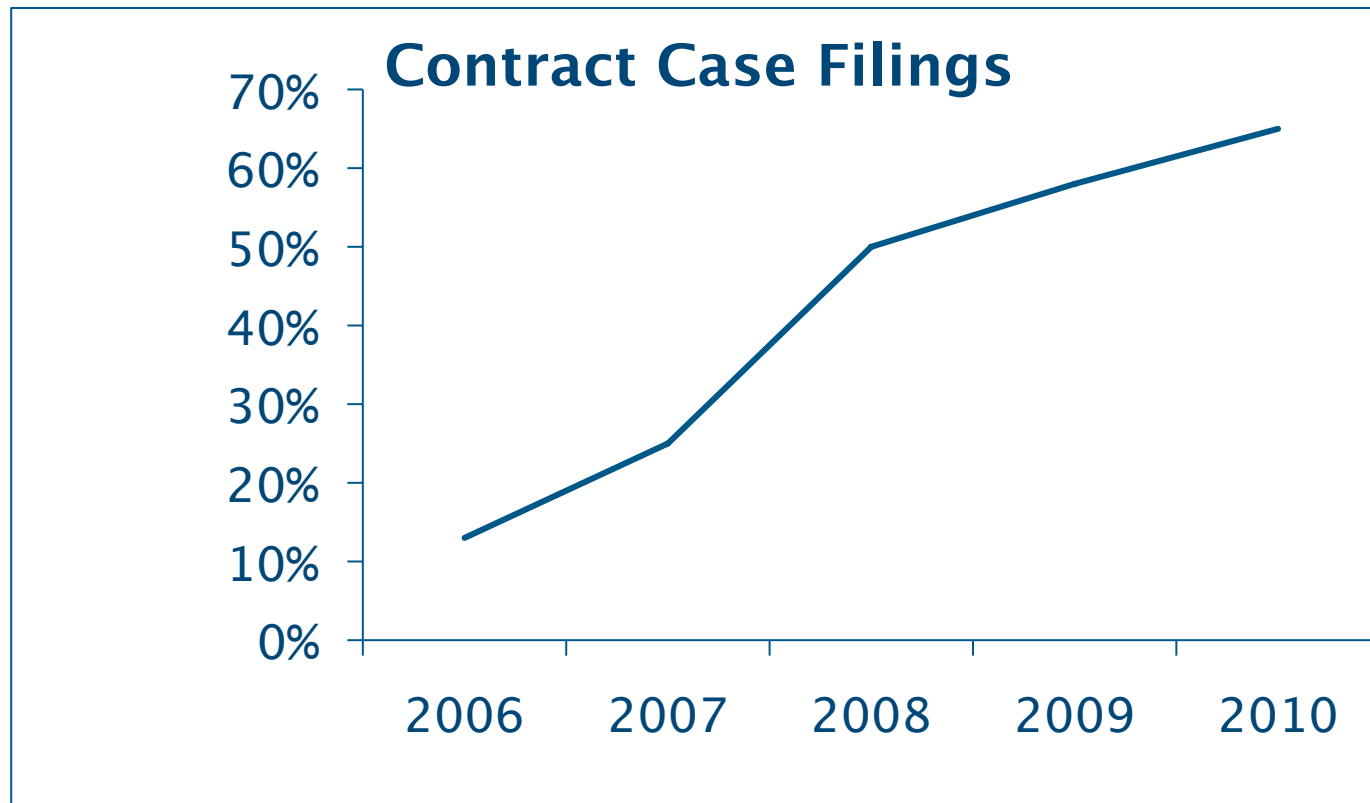
Cost of Resolving Contract Disputes. . . Mediation Costs a Fraction of Other Choices

Estimated Cost Per Party of Contract Dispute



- ***Litigation*** – 36 mos., Median cost/party through trial – NSCS
- ***Arbitration*** – 14 mos., Can be higher than litigation, estimated – 50%
- ***Private Mediation*** – Under 1 mos., Lawyers optional, ½ Submission Fee \$250, ½ Daily Mediator Fee \$2500

Business Litigation . . . Contract Case Filings Up 50% 2005 – 2010

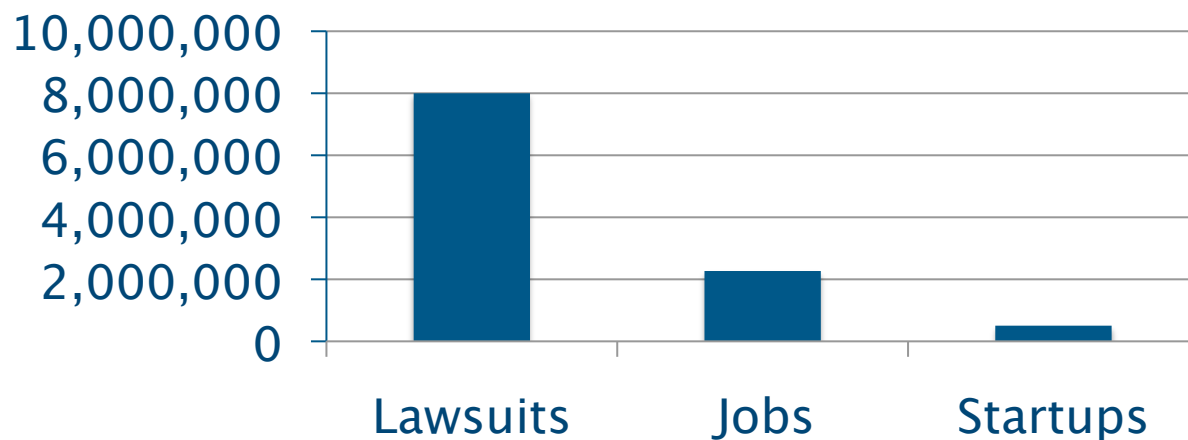


Increase in Contract Case Filings Since 2001

Misallocating Resources . . . Business Litigation Rarely Has A Winner

- 1. 8 million new business related lawsuits filed each year:***

Business Activities Comparison



- 2. Average Business Case Takes Over 3 years***

- 3. Only about 1% of Business Cases Go To Trial***