

APPENDIX C

REQUEST FOR ARBITRATION

(For Use When a Party Desires to Initiate an Arbitration under an Arbitration Clause of a Commercial Contract)

The undersigned party is unable to resolve its differences through direct and/or assisted negotiations with the following parties identified below by name and, in addition, by the address and telephone number of themselves or their counsel.

The undersigned party requests and authorizes ADR, Inc. to contact the other party or parties to the dispute and notify it or them that the undersigned party is invoking the arbitration clause of the below-described commercial contract to initiate an arbitration and is requesting that ADR, Inc. administer the arbitration proceedings.

The nature of the dispute, points at issue, and remedy or relief sought are as follows:

This dispute arises under a commercial contract attached to this Request for Arbitration. The contract provision in dispute appears on page \_\_\_\_\_ at \_\_\_\_\_; the arbitration clause appears on page \_\_\_\_\_ at \_\_\_\_\_. Other relevant documents are/are not (circle one) attached.

The undersigned party would like to use the services of one of the following arbitrators from ADR, Inc.'s list of neutrals, in order of preference:

(If applicable): Pursuant to the arbitration clause, the undersigned party has selected and contacted the following arbitrator to serve as its party-appointed arbitrator in this matter (identify by name, address, and telephone number):

If the undersigned party has listed no preferred arbitrator, the undersigned party requests that an arbitrator be appointed by ADR, Inc. in accordance with Article V of ADR, Inc.'s Arbitration Rules and Procedures (the "Rules"). The undersigned party requests that the appointed arbitrator should have the following special qualifications:

An interpreter is/is not (circle one) required for the arbitration. If an interpreter is required, the undersigned party proposes the following manner and method of selection and payment of an interpreter:

The undersigned party agrees to make deposits for the estimated fees and expenses and to pay any additional fees and expenses for which it is obligated in a timely manner as requested by ADR, Inc. and in accordance with the provisions of Articles XVIII, XIX and XX of the Rules.

Party: \_\_\_\_\_; Signatory: \_\_\_\_\_ Date: \_\_\_\_\_

To the extent possible, a **Request for Arbitration** (~~Request~~) shall contain:

- (1) A Statement requesting that the dispute be referred to arbitration or arbitration hybrid;
- (2) The names, addresses, and telephone numbers of the parties to the dispute and of all counsel, representatives and persons providing assistance to the parties, if known;
- (3) A reference to, and a copy of, the arbitration clause or the separate arbitration agreement that is invoked, if applicable;
- (4) A reference to, and copy of, the contract out of, or in relation to, which the dispute arises, if applicable;
- (5) A statement of facts supporting any claim and an indication of the amount involved, if any;
- (6) The points at issue;
- (7) The relief or remedy sought, if known;
- (8) Proposed arbitrator(s), if parties have not previously so agreed; and
- (9) A proposal as to the place of arbitration, if parties have not previously so agreed.

The requesting party may attach to the Request any other relevant documents or may include a reference to such relevant documents in the Request.