

Global Mediation Exchange Center Submission Agreement for Arbitration/Mediation

We,

_____ ,

Claimants

and

_____ ,

Respondents

We hereby agree to submit all disputes relating to the Agreement between the parties dated _____ (attached) to arbitration/mediation in accordance with the Rules of the Global Exchange Mediation Center (GXMC) and with New Jersey New Jersey International Arbitration, Mediation, and Conciliation Act, NJ Stat. Ch. 2A:23E-2 . We have attached a list and short description of the claims [and counterclaims] to this submission agreement.

We further agree that the above dispute shall be submitted to a sole arbitrator/mediator appointed by GXMC. We understand and agree that the arbitrator will act as a mediator and may conduct ex parte meetings with the parties (caucuses) and we incorporate in this submission agreement both the arbitration and mediation rules of the GXMC. We further agree that in the event that a mediated agreement is reached by the parties, the arbitrator/mediator will complete a consent award enforceable under Ch. 2A: 23E-2 and the New York Convention that we shall faithfully observe this agreement and the Rules and that we shall abide by and perform any award rendered by the arbitrator/mediator. Judgment upon the award may be entered by any court having jurisdiction thereof. The seat of the arbitration shall be Jersey City, New Jersey. The language of the arbitration shall be English.

IT IS ACKNOWLEDGED, UNDERSTOOD AND AGREED THAT THE PARTIES WAIVE TO THE FULLEST EXTENT PERMITTED BY LAW, ANY RIGHT THEY MAY HAVE TO A TRIAL BY JUDGE or JURY IN ANY LEGAL PROCEEDING DIRECTLY OR INDIRECTLY ARISING OUT OF OR RELATING TO THIS AGREEMENT, WHETHER BASED IN CONTRACT, TORT, STATUTE, CIVIL LAW, COMMON LAW, OR ANY OTHER LEGAL THEORY.

IT IS FUTHER ACKNOWLEDGED, UNDERSTOOD AND AGREED THAT ANY ARBITRATION WILL BE FINAL AND BINDING AND THAT BY AGREEING TO ARBITRATION, THE PARTIES ARE WAIVING THEIR RESPECTIVE RIGHTS TO SEEK

ANY REMEDIES IN COURT OR JUDICIAL FORUM, INCLUDING THE RIGHT TO A TRIAL BY A JUDGE OR JURY AND INCLUDING INJUNCTIVE AND ANY AND ALL OTHER RELIEF.

THE ARBITRATOR'S AWARD IS NOT REQUIRED TO INCLUDE FACTUAL FINDINGS OR LEGAL REASONING; AND ANY PARTY'S RIGHT TO APPEAL OR VACATE, OR SEEK MODIFICATION OF THE ARBITRATION AWARD IS STRICTLY LIMITED BY LAW.

In the event that no consent award is entered within [x days] of the appointment of the arbitrator/mediator or if the consent award does not resolve all disputes between the parties as set forth in the claims and counterclaims attached hereto, the parties agree that any of the unresolved claims or counterclaims shall be finally resolved by [the arbitrator[s] in the pending arbitration] arbitration in accordance with the [International Dispute Resolution Procedures

Commercial Arbitration Rules (AAA)] or the [International Institute for Conflict Prevention and Resolution ("CPR") Rules for Administered Arbitration of International Disputes]¹ [currently in effect OR in effect on the date of this Agreement], by [a sole arbitrator] [three arbitrators, of whom each party shall designate one, with the third arbitrator to be appointed by [AAA/ICDR or CPR] [three arbitrators, of whom each party shall designate one, with the third arbitrator to be designated by the two party-appointed arbitrators] [three arbitrators, none of whom shall be designated by either party]; Judgment upon the award rendered by the arbitrator(s) may be entered by any court having jurisdiction thereof. The seat of the arbitration shall be (city, country). The language of the arbitration shall be (language).

To be completed and signed by all parties

Name of Party _____

Address

City, State/Province, Country, Post Code:

Telephone

Facsimile _____

Name of Party's Attorney or Representative _____

Name of Firm (if applicable)

Address

City, State/Province, Country, Post Code:

¹ We could use Procedures for Cases under the UNCITRAL

Telephone

Facsimile _____

Signed† (may be signed by a representative)

Title Date

Name of Party _____

Address

City, State/Province, Country, Post Code:

Telephone

Facsimile _____

Name of Party's Attorney or Representative _____

Name of Firm (if applicable)

Address

City, State/Province, Country, Post Code:

Telephone

Facsimile _____

Signed† (may be signed by a representative)

Title Date