

**Rule 1. Adoption of Rules.** The Parties to a dispute may adopt these Accelerated Arbitration Rules by an Arbitration Agreement referring hereto.

**Rule 2. Commencement and Completion of Arbitration.** An Arbitration under these Rules shall be commenced by filing the Parties' Arbitration Agreement and an Arbitration Demand with the Arbitrator. An Arbitration under these Rules will normally be completed within ninety days of the filing of the Arbitration Demand.

**Rule 3. Pleadings.** The Arbitration Demand shall describe the Claim in enough detail to place Respondent on notice of the Claim, the factual and legal bases for the Claim, and the damages claimed by Claimant. Claimant shall serve a copy of the Arbitration Demand upon the Respondent when it is filed with the Arbitrator. Respondent shall serve a Response to the Arbitration Demand, together with any Counterclaims that may be asserted, within seven days of the service of the Arbitration Demand. Any Counterclaim will be described in enough detail to place Claimant on notice of the Counterclaim, the factual and legal bases for the Counterclaim, and the damages claimed by Respondent. Claimant shall serve a Counterclaim Response within three days of the service of the Counterclaim. Thereafter, the pleadings may be amended only with leave of the Arbitrator. If a Response or Counterclaim Response is not served within the stated time, the Claim or Counterclaim shall be deemed denied. Copies of all pleadings shall be filed with the Arbitrator.

**Rule 4. Filings and Service.** Unless otherwise ordered by the Arbitrator, all papers, documents, and materials filed with the Arbitrator shall be served upon all other Parties by email. Except for the Arbitration Demand, papers, documents, and materials filed with the Arbitrator may be filed by email.

**Rule 5. Case Management Conferences.** Subject to the availability of the Arbitrator and the Parties, the Arbitrator will schedule the Initial Case Management Conference within twenty-one days of the filing of the Arbitration Demand. The Arbitrator may schedule subsequent Case Management Conferences at the Arbitrator's discretion.

**Rule 6. Disclosures**

- (A) Within twenty-eight days of the filing of the Arbitration Demand, the Parties shall disclose and exchange:
- (1) the name, address, and telephone number of each individual likely to know of information relating to the Claims, Counterclaims, and Defenses, and a summary of the knowledge or information that the person is believed to possess;

- (2) a copy of all non-privileged documents, electronically stored information, and tangible things that the disclosing Party has in its possession, custody, or control that evidence the Claims, Counterclaims, or Defenses, or the factual allegations made in the pleadings; and

- (3) a computation of each category of damages claimed by the disclosing Party and copies of the documents or other evidentiary material on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

(B) Within forty-two days of the filing of the Arbitration Demand, the Parties shall disclose and exchange:

- (1) the names of the witnesses that the disclosing Party intends to call at the Final Hearing, together with a listing of the topics on which each witness will be giving testimony and a summary of the testimony that each witness is expected to give; and
- (2) the exhibits upon which the disclosing Party intends to rely at the Final Hearing to support its Claims, Counterclaims, or Defenses.

(C) Within forty-nine days of the filing of the Arbitration Demand, the Parties shall disclose and exchange:

- (1) the exhibits upon which the disclosing Party intends to rely at the Final Hearing to rebut the evidence to be offered by the other Party; and
- (2) the names of the witnesses that the disclosing Party intends to call at the Final Hearing to rebut the evidence to be offered by the other Party, together with a listing of the topics on which each witness will be giving testimony and a summary of the testimony that each witness is expected to give.

The disclosures and exchanges described in (A), (B), and (C) need not be filed with the Arbitrator.

The Arbitrator may exclude exhibits and testimony at the Final Hearing not disclosed under this Rule. While the Parties may engage in voluntary discovery, no other discovery shall be permitted without leave of the Arbitrator.

**Rule 7. Pre-Hearing Filings.** Seven days before the date scheduled for the Final Hearing the Parties shall file and serve briefs including these elements:

- (A) a discussion of facts relating to the Claims, Counterclaims, and Defenses;
- (B) a discussion of law relating to the Claims, Counterclaims, and Defenses, together with copies of all authorities cited; and

(C) a list of witnesses the Party expects to call, with a brief summary of the testimony each witness is expected to give.

The Parties shall file and serve pre-marked paper and Adobe .pdf copies of all exhibits they intend to use or offer into evidence at the Final Hearing.

**Rule 8. Final Hearing.** One day will be set aside for the Final Hearing. Each Party will be given fifteen minutes to make opening statements, three hours to examine and cross examine witnesses and offer other evidence, and thirty minutes to make closing arguments. The Claimant and Counterclaimant may reserve a portion of these times for rebuttal. Absent leave of the Arbitrator, no new issues may be addressed during time reserved for rebuttal. No post-hearing briefs will be permitted except for those specifically requested by the Arbitrator. The rules of evidence and rules of civil procedure applicable in court proceedings shall not apply to the final hearing. The Arbitrator shall have the discretion to receive or exclude evidence offered by the Parties, and to receive evidence in any form the Arbitrator deems appropriate.

**Rule 9. Final Award.** The Arbitrator will issue the Final Award within five days of the conclusion of the Final Hearing or the submission of any post-hearing briefs requested by the Arbitrator. The Final Award will set forth the Arbitrator's ruling on all Claims and Counterclaims, a brief explanation of how the Arbitrator reached the ruling, and an allocation of the Arbitrator's fees and expenses. There will be no formal findings of fact or conclusions of law.

**Rule 10. Time.** The times in these Rules are not jurisdictional and may be extended at the discretion of the Arbitrator. Should any date fall on a weekend or holiday, that due date shall be continued to the next business day.

**Rule 11. Modification of Rules.** With the consent of the Arbitrator, the Parties may amend or modify these Rules by agreement in writing.

**Rule 12. Arbitration Fees and Expenses.** The fee for any Arbitration conducted under these Rules shall be paid when the Arbitration Demand is filed with the Arbitrator. A separate deposit sufficient to cover travel time and expenses will be required before the Final Hearing if the Parties choose to have an in-person hearing conducted outside of Toledo, Ohio, or Columbus, Ohio.

**Rule 13. Communication with Arbitrator.** No Party shall communicate *ex parte* with the Arbitrator on any substantive issue. Copies of all communications with the Arbitrator shall be served upon the opposing Party.

**Rule 14. Confidentiality.** All pleadings, motions, discovery responses, letters, orders, Final Awards, and other papers served, exchanged, filed, or issued in this Arbitration, and all conferences, hearings, and other proceedings conducted in this Arbitration shall be confidential and shall not be disclosed other than in Court proceedings relating to this Arbitration or the Final Award.

**Rule 15. Subsequent Proceedings.** No Party may call the Arbitrator as a witness in any subsequent proceedings relating to an Arbitration conducted under these Rules.

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