

Sample Clauses from More Recent Wordings

Provisions limiting the amount of discovery and/or witnesses

- Within ___ days after the appointment of all arbitrators, the panel must meet with the parties. Prior to such meeting, the panel may require the parties to, respectively, submit a writing detailing the nature of the dispute, the issues and the resolution sought. At the meeting, the panel shall determine, among other items, the scope of and time frame for submitting briefs, beginning and ending dates for discovery (including the scope of discovery) and schedule for hearings. In making such determinations, the panel shall be mindful that time is of the essence under this Article and shall take into consideration the costs associated with an elongated discovery and hearing timeframe, and may make any orders in relation to shortening the number of witnesses, the number of depositions and the outside timeframe for the hearing, as it deems to be in the best interests of the arbitration and in effecting the purposes of this Article.
- Within ___ days of being selected, the Arbitrator will convene an organizational meeting and set a schedule that allows for a final resolution within ___ days of his or her appointment. Discovery will be limited to exchanging only those documents directly relating to the issue in dispute, subject to a limit of two discovery depositions from each party, unless otherwise authorized by the Arbitrator upon a showing of good cause and provided that such additional discovery depositions can be concluded within a period of time such that final resolution of the dispute still occurs within ___ days of the arbitrator's appointment. It is the expectation of each party participating in the Arbitration that all requests for production of witnesses or documents will be in good faith and relevant to the issues before the Arbitrator and not intended to delay, overburden or harass. The Arbitrator will use his/her best efforts to limit the scope of document production in the manner described above as well as the duration of a final hearing and may promulgate a schedule that requires solely written submissions in lieu of an in-person hearing.
- Unless the arbitration panel issues an order to the contrary for good cause shown, (i) all requests for documents and other discovery shall be served no later than ___ days following the date of the organizational meeting; (ii) all responses to discovery requests shall be due 30 days from the date the request is received by the responding party; and (iii) each party shall take no more than three depositions.

Panel authority to issue sanctions

- The panel shall have the power to impose sanctions for failure to comply with an interim ruling by the panel or for discovery-related abuse.

Reasoned award

- The panel shall provide the parties with a reasoned award no later than ___ days following the termination of the hearing, which shall set forth: (1) the resolution of the disputed issues; (2) the amount of the award, and such other relief granted by the panel, if any, and (3) the panel's reasons for reaching its decision. Judgment upon the award may be entered in any court having jurisdiction thereof.
- The award shall be in writing and shall state the factual findings that served as the basis for the award.

By Written Submission at parties' option

- Notwithstanding the foregoing, the parties may forego arbitration proceedings set forth above and select arbitration by written submission. Within ___ days of selection of the arbiters in accordance with paragraph ___ above, both parties shall simultaneously present their respective written submissions to the arbiters. Written submissions shall be no longer than 25 pages in length. The arbiters, at their discretion, may request additional information in the form of supplemental reply briefs. The arbiters shall issue their award within ___ days after the written submissions have been filed and supplemental reply briefs have been provided.