



EARLY NEUTRAL EVALUATION PROGRAM

2007 ANNUAL REPORT

November 1, 2006 - October 31, 2007

I. INTRODUCTION

Since July 1, 1994, the District of Vermont has operated its mandatory Early Neutral Evaluation (ENE) program with the expectation that it will reduce the time and costs of traditional litigation by enhancing direct communication between parties, identifying and clarifying issues, and positioning cases for early resolution by settlement.

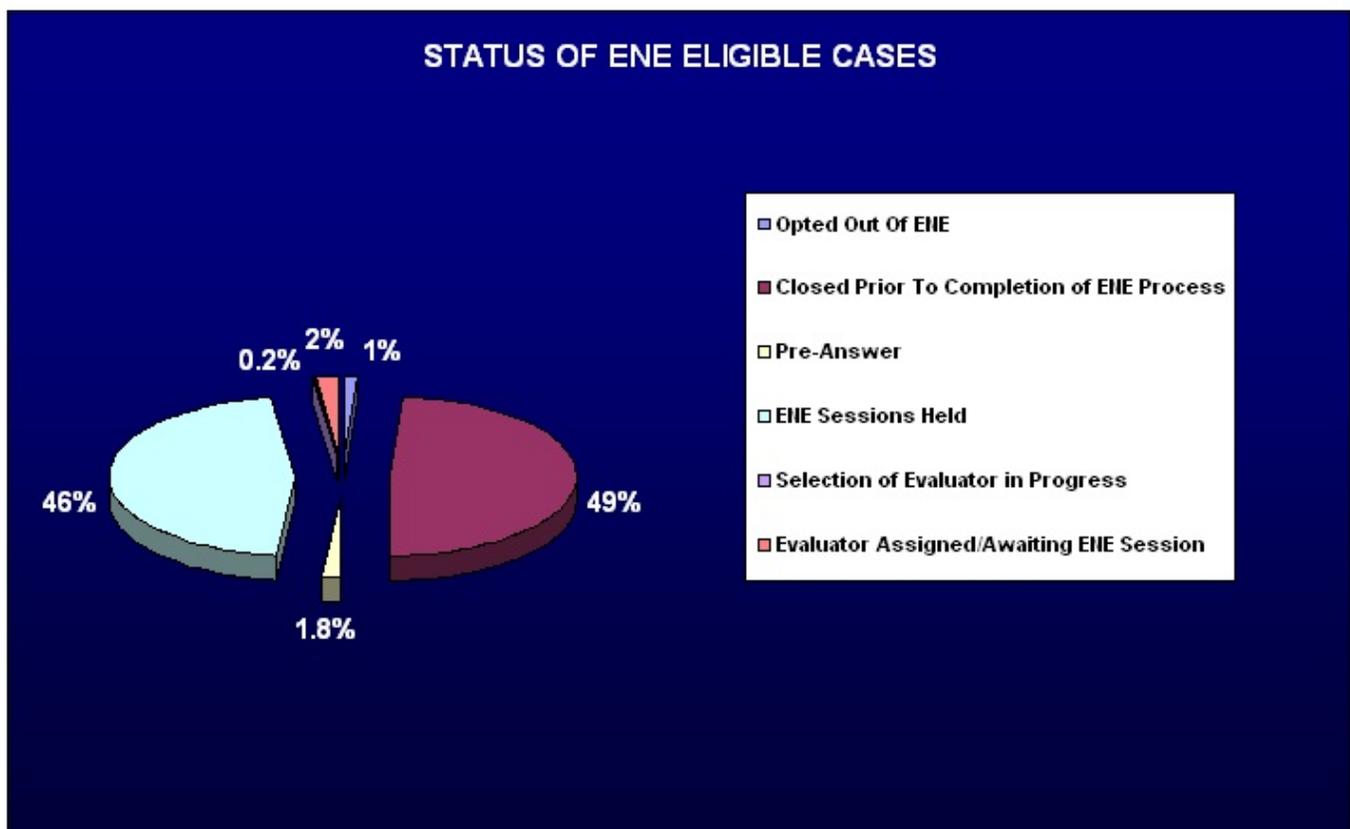
2007 was a year of reassessment for the ENE program. The Court sought input from Court Advisory Group members and ENE panelists on what could be done to enhance the program's effectiveness. In addition to offering a statistical overview of the ENE program and its success rates for the period November 1, 2006 through October 31, 2007, this report also summarizes the recent actions this district has initiated to improve the ENE process.

II. STATISTICAL ANALYSIS

A. ENE Usage

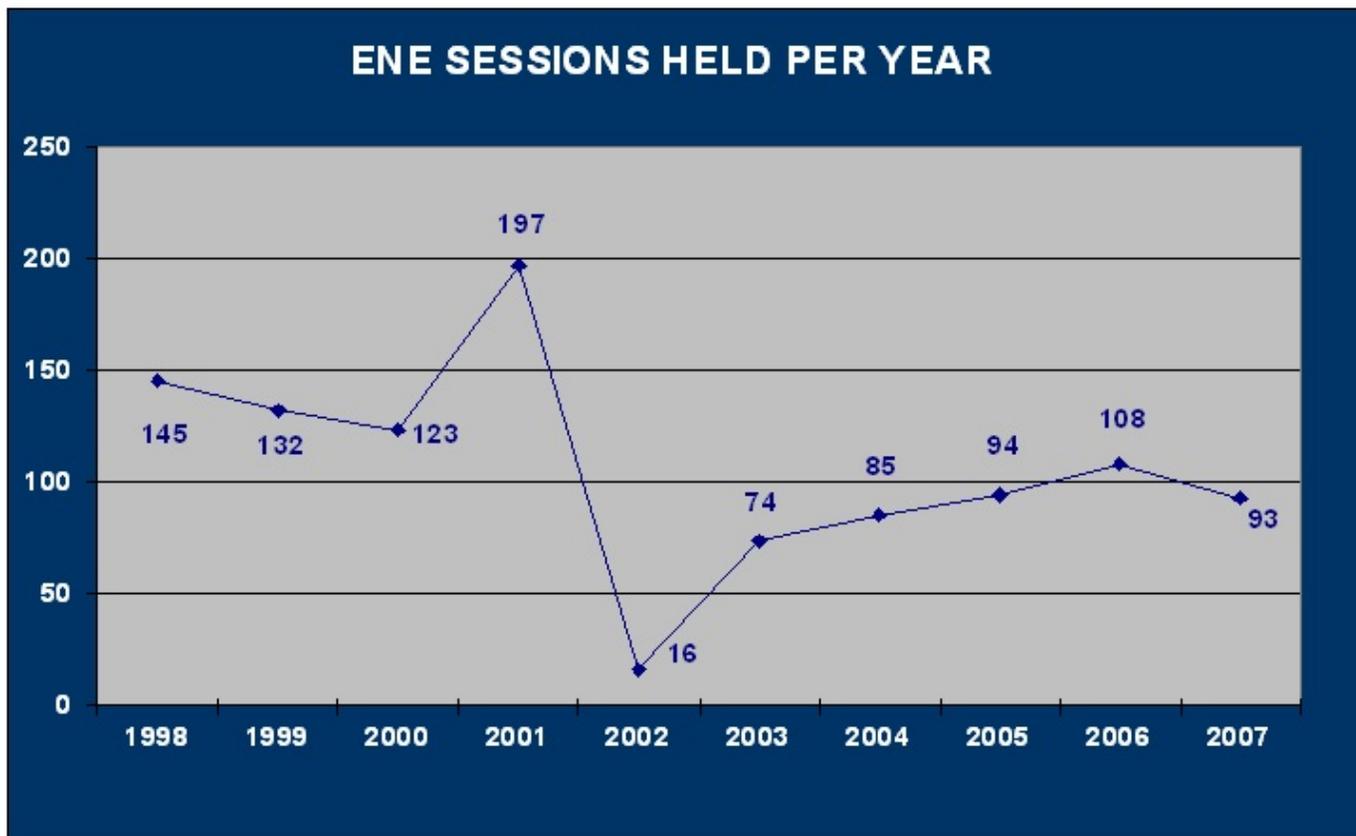
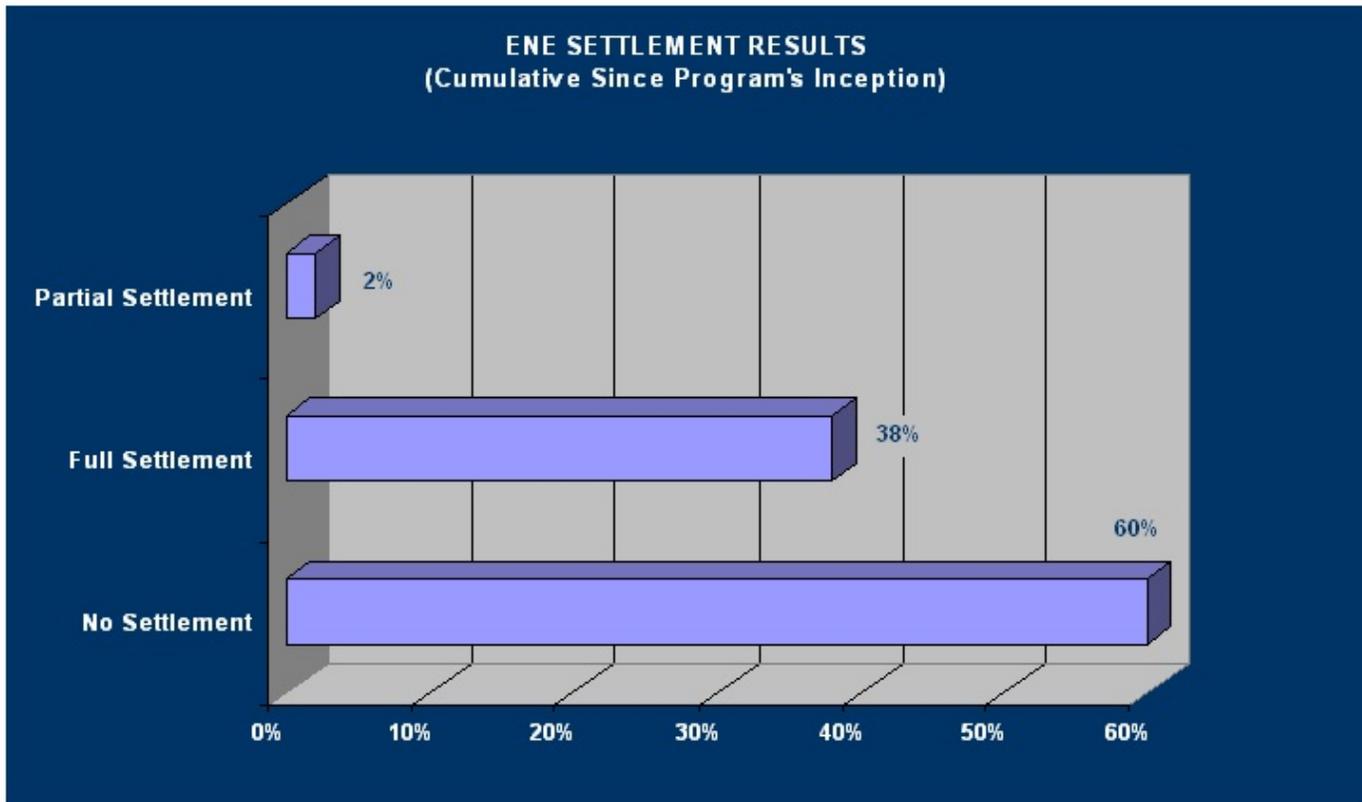
The number of ENE sessions held during 2007 was 93, a 14% decrease in the number of sessions held during 2006, which was 108.

The cumulative total of ENE eligible cases since the program's inception now totals 2,719. The graph below illustrates the current status of ENE eligible cases. Forty-six percent of those cases have held an ENE session, 49% were closed prior to completion of the process, 2% have an ENE evaluator assigned and are awaiting a session, and 1.8% are in the pre-answer stage. Less than 1% of ENE eligible cases successfully opted out of the process.



B. ENE Results

The graphs displayed below illustrate cumulative results for all ENE eligible case over the past ten years, including the number of ENE sessions held per year on a per-year basis. Most notably, the Court's cumulative full settlement rate increased by 8% from the previous year, increasing the historic full settlement rate to 38% for the program.



C. Disposition of ENE Eligible Cases

Table A compares the nature of suit category with the point of disposition for all ENE eligible cases. It also displays the mean disposition time in each category. This information suggests which type of cases benefit most from the program and provides a general indication of the duration of case life before termination. Contract, medical malpractice and civil rights actions continue to be the leading type of cases which settle pre-ENE. At ENE sessions, personal injury cases continue to lead in ENE settlement. Motor vehicle cases appear to be the leading case category for settling post ENE.

Table A - Disposition By Nature of Suit

NATURE OF SUIT	WHEN DISPOSED			MEAN DISPOSITION TIME (in days)
	Pre- ENE Session	At ENE Session	After ENE Session	
110 Contract: Insurance	56%	17%	27%	368
190 Contract: Other	63%	14%	23%	320
350 PI: Motor Vehicle	27%	30%	43%	371
360 PI: Other	35%	33%	32%	370
362 PI: Med Malpractice	60%	18%	22%	367
365 PI: Product Liability	47%	18%	35%	427
440 Civil Rights: Other	66%	12%	22%	315
442 Civil Rights: Jobs	38%	24%	38%	383
791 Labor: ERISA	51%	26%	23%	296

III. ATTORNEY FEEDBACK

The Court’s annual questionnaires were once again sent to counsel participating in the Court’s ENE program. Counsel were asked to reflect upon their experiences with the program and its effectiveness. While most of the comments are generally positive, the participants also offered some very valuable suggestions for improvement. Historically, one of the most prevalent and chronic criticisms of the program is that the ENE process is forced upon the parties too early in the case. *Several attorneys echoed past concerns that settlement talks would be far more effective if the process were to begin later in the discovery process.* While efforts have been made to alleviate this problem, it is

clear that the Clerk's Office must continue to communicate to parties the option to re-schedule ENE sessions, if necessary. This can be accomplished by simply contacting the ENE administrator informally rather than filing a formal motion with the Court.

Attachment 1 shows the results of the annual attorney questionnaire. Fifty-six percent of the attorney participants reported ENE as helpful in the settlement of their cases, up 5% from last year's results. One participating attorney added that "ENE is helpful even if there is no settlement at the ENE session. It creates a neutral opportunity to discuss settlement on terms discussed at the session, but initially rejected by one or both parties," indicating that the program has been somewhat successful in opening the lines of communication and encouraging settlement discussions. In 2007, 30% percent of the participants believed their case settled earlier that it would have if there were no involvement in the ENE process.

In summary, from numerous comments received from participating attorneys, there is no doubt that ENE is regarded as a useful and practical tool for encouraging settlement. The consensus opinion also indicates that the program has solid potential to be much more influential in the settlement process in the future, especially by restructuring the process and optimizing the size of the ENE panel.

IV. EVALUATOR FEEDBACK

A. ENE Panel Survey - Size and Effectiveness of ENE Panel

In an effort to evaluate the size and effectiveness of its ENE panel, during early September 2007, the district court undertook a survey of all panel evaluators. Evaluators were asked if they wished to remain as an active panel member and if so, were then asked to identify the specific types of cases that they wished to be considered eligible for.

From the Court's panel of 44 active (civil) evaluators, 36 evaluators indicated that they wished to remain on the panel; 5 evaluators requested removal from the panel and 3 evaluators failed to respond to the survey (despite subsequent follow-up efforts). Of the 6 bankruptcy-specific evaluators, 5 panel members indicated that they wished to remain on active status; one panel member did not respond to the survey.

At the conclusion of the survey, a five-member, *ad hoc* ENE evaluation subcommittee was appointed by the Court and tasked with reviewing the survey results. The committee was also issued a mandate to make recommendations to the Court regarding the efficiency of current panel members and the optimum size of the panel.

During early December 2007, the panel subcommittee concluded its work and reported to the Court. After reviewing survey responses and analyzing individual evaluator effectiveness based upon statistics as provided prior ENE reports, the committee recommended that those evaluators desiring voluntary removal from the panel be granted their wish. The committee also recommended the removal of those evaluators whose success rate has been less than the historic, full-settlement rate of the ENE program itself. In light of the potential vacancies created by these suggestions, the subcommittee then recommended that panel membership be refreshed with special consideration being given to the Court's standing list of applicants - many of whom have waited considerable periods of time. Lastly, the committee recommended that new appointments should also take into

account the growing area of intellectual property law as the Court's current panel lacks this specific type of expertise. If implemented, these changes would result in a "refreshed" ENE panel of approximately 36 - 40 members - a size which is a bit more in tune with the number of civil actions currently being filed and the number of cases currently eligible for the ENE process. No recommendations were made regarding the bankruptcy portion of the Court's ENE panel as the committee professed less working familiarity with the ENE process for bankruptcy cases.

B. Annual Evaluator Feedback

Attachment 2 displays the results of the Court's annual ENE Evaluator Questionnaire. Results of this year's questionnaire were encouraging in the fact that 82% of the evaluators rated the preparation by counsel and efforts in the ENE process as "excellent," while 15% rated them as "good." One evaluator offered this comment: "I believe the program is a good one. I've been involved for years, now, both as a participant and as an evaluator. The success of the process is greater than the numbers. Cases settle when parties talk. ENE forces the conversation."

The feedback provided by the group indicates that the program continues to improve. The numbers suggest that the level of attorneys' preparation and participation regarding ENE has increased this past year, which may be a factor in the recent rise in full settlement figures.

V. EVALUATOR USAGE

Attachments 3A and 3B indicate the cumulative number of ENE assignments received by evaluators. Attachment 3A references those evaluators on the Court's official roster and attachment 3B represents those evaluators who are not on the roster but were stipulated to by the parties. Each attachment displays the cumulative results of their sessions.

As discussed previously, evaluator usage, panel size and evaluator effectiveness are currently under review by the Court.

VI. UPDATES

A. Bankruptcy Involvement

Based upon the numbers reported from Bankruptcy Court this year, it appears that ENE continues to evolve as a viable option in bankruptcy cases. To date, a total of 14 bankruptcy cases have participated in the ENE process, an increase of 75% from last year's cumulative total.

B. ENE Training

On May 4, 2007, the Court sponsored a one day professional development seminar that focused on settlement and mediation techniques as they relate to the District's Local Rule 16.3, Early Neutral Evaluation. The program was highlighted by the presentation of keynote speaker Kenneth Feinberg, one of the nation's leading experts in mediation and alternative dispute resolution. Ken's delivery was lively, informative, entertaining and extremely relevant to our agenda for the seminar. Additionally, panel moderator Belinda Sifford led panel discussions that focused on dealing with problem participants, settlement and enforcement issues, liability issues facing mediators, rule requirements and timing and follow-up issues. All of these discussions triggered a valuable and lively dialog about improving the District's ENE Program. By all accounts, the seminar was a tremendous success and even provided participants the bonus of receiving 6 hours of Continuing Legal Education credit!

C. ENE Internet Link

As an outcome of the training seminar, it was suggested that both the public and ENE panel members could benefit greatly by the addition of an ENE link on the court's website. In response to this recommendation, the Clerk's Office added an informational web page entitled "ENE/Mediation" which now provides links to our ENE panel member list, Local Rule 16.3, annual ENE reports and to the program contact, ENE Administrator Lisa Wright. It will also serve as a venue to post future ENE initiatives, seminars or training opportunities.

VI. CONCLUSION AND FUTURE OUTLOOK

It has been a year of introspection and examination for the program as the court sought input on what could be done to refine and improve our processes. The Court Advisory Group, the seminar and feedback from our ENE panel all have helped us focus on key issues for making the ENE process more efficient and the court is expected to implement some of the suggested changes in the very near future. With the submission of this report the court renews its commitment to the administration of an effective ENE program. We look forward to communicating our improvements to the ENE community.

VII. COMMENTS

Any commentary or suggestions related to the ENE program may be directed to Jeff Eaton at 802-951-6301 x 118, or Jeff_Eaton@vtd.uscourts.gov.

2007 ENE Case Closing Questionnaire
District of Vermont

1. The primary reason(s) this case closed when it did is/are: (Check all that apply)

If your Case Closed Before ENE Session was Held

- 24% Facts/Issues were straightforward so lengthy discovery was not needed
- 6% Settlement was at least partly worked out before the case was filed.
- 9% Client changed mind - case dropped or to be pursued in another venue
- 6% ENE process imminent - discovery checklist, case summary, etc. due soon
- 55% Other

If your Case Closed After ENE Session was Held

- 21% Discovery
- 16% Decision on controlling motions by the Court
- 28% Trial date set/approaching
- 0% Attorney/client schedule only recently permitted full attention on this case
- 34% Other

2a. Was the ENE process as a whole helpful in settling this case? (Please consider “intangible effects” of ENE such as: opening the communication between parties, identifying strengths and weaknesses of each side, getting clients to be more realistic)

- 29% Very helpful
- 27% Somewhat helpful
- 43% No effect
- 1% Detrimental

2b. If you checked "Very" or "Somewhat helpful" above, what about the ENE process helped most in resolution of the case? (Check all that apply)

- 27% Active Participation of client in the session, i.e., direct communication with other party(ies), hearing strengths & weaknesses of their own case, etc.
- 8% Prompted counsel to exchange information and/or "get moving" on discover sooner then we otherwise might have
- 1% \$500 fee prompted consideration of settlement before that stage was reached
- 30% Evaluator's methods of conducting the session & discussing the case
- 12% Prompted all to consider settlement earlier then we otherwise might have
- 4% Combination of all
- 9% Improved pretrial settlement discussions as trial approached, e.g., court pretrial conference
- 9% Other

3. Do you think this case settled any earlier then it would have if there were no ENE process?

- 30% Yes
- 55% No
- 15% No way to tell

4. Did the ENE process help decrease the cost of litigation, either because of the early settlement, or in other ways?

42% Yes

58% No

Comments or suggestions on the ENE program:

- ▶ “The ENE failed in this case because the insurance company was taking the position that there was no coverage. Plus, they failed to have at the ENE session the adjuster who was handling the file. Rather, the insurance company sent an independent adjuster to fill in for the adjuster who was supposed to be there. Because of this, we filed a Motion for Sanctions which was heard by Judge Sessions. Before a ruling the insurance agreed to pay us sanctions to avoid a ruling by the judge.”
- ▶ “The ENE was required too early in the discovery process.”
- ▶ “*Joan Wing* did a terrific job at mediating this dispute.”
- ▶ “The ENE process is very helpful in most cases. It would be beneficial in many cases, however, to schedule the ENE later in terms of the discovery schedule. It would be more realistic to have a discovery completion date no later than 10 months, as opposed to 8 months, after the last answer is filed and then have the ENE approximately 6-8 months into the discovery period.”
- ▶ “ENE within 4 months is often too early.”
- ▶ “I think the ENE process is valuable, but in this particular case, the parties were able to work out their differences without the assistance of a third party.”
- ▶ “ENE is helpful even if there is no settlement at the ENE session. It creates a neutral opportunity to discuss settlement on terms discussed at the session, but initially rejected by one or both parties.”
- ▶ “Not relevant to this case but ENE generally too early in discovery process. Attorneys should be able to “opt-out” if they agree ENE would not be helpful.”
- ▶ “This program is good. I submit that the greatest mediator on Earth would not have been able to get this case settled however, given the parties’ diametrically different views of the applicable law.”
- ▶ “I think the ENE program is generally very helpful. The fact that it did not work in this case would not discourage me from participating in the future.”
- ▶ “ENE typically is required too early in the discovery process to be effective; this case was typical.”
- ▶ “Jim Spink was persistent after the ENE session which kept focus on settlement, and allowed for settlement before out of state trial preservation depositions were to be taken.”
- ▶ “Notwithstanding the outcome of this case, the ENE process as a whole is extremely valuable.”
- ▶ “I think the case settled because we were on the eve of the ENE so it was useful to that extent.”
- ▶ “I believe we need mediators who specialize in certain areas, such as trademark law.”

2007 ENE Evaluator Questionnaire

District of Vermont

1. Considering Attorneys' participation, what percentage falls into each of the categories below regarding the ENE process?

- 82% Excellent - counsel prepare thoroughly and honestly try to make the process successful for their client/case
- 15% Good - counsel make some effort, but seem a bit hesitant/skeptical
- 2% Indifferent - participate minimally to comply with the local rule
- 0% Negative - do little to no preparation and don't give the process a chance
- 0% Other (please briefly explain)

1b. Compared to your observations during the first couple of years of the ENE program, does your response above represent –

- 74% Increase in attorney participation/attitude
- 26% Same attorney participation/attitude as in earlier years
- 0% Worse attorney participation/attitude

2. Considering the participation of the parties at the ENE Session, what percentage falls into each of the categories below?

- 70% Full active participation
- 26% Some participation
- 4% Neutral - present but did not volunteer input in the process
- 1% Negative - participation hurt the progress of the case
- 0% Other - please describe

3. From your evaluation experiences, are there any types of cases that are now subject to ENE that should not be?

- Legally complex cases where summary judgment is either pending or will be filed
- No, but again substantial completion of discovery or real agreement on the issues pre ENE is crucial to resolution

COMMENTS OR SUGGESTIONS ON THE ENE PROGRAM:

- ▶ *"I believe the program is a good one. I've been involved for years, now, both as a participant & as an evaluator. The success of the process is greater than the numbers. Cases settled when parties talk. ENE forces the conversation."*
- ▶ *"I think ENE happens too early in the process - cases not ripe for resolution. Pro Se parties & out of state counsel can both be difficult. Vermont attorneys tend to be the most committed & productive participants."*
- ▶ *"It is a critical process. It has been a huge success."*

EVALUATOR USAGE AS OF 10/31/07
(Court's Official Roster)

<u>Evaluator</u>	<u># of Cases Assigned</u>	<u>Results of Sessions</u>
Frederic W. Allen (**)	23	5-Full Settlement 1-Partial Settlement 9-No Settlement 4-Closed Before Session
Edwin Amidon, Jr.	55	7-Full Settlement 28-No Settlement 10-Closed Before Session 2-Out of ENE
Gary Barnes (***)	10	4-Full Settlement 2-No Settlement 3-Closed Before Session 1-Out of ENE
Alison J. Bell (**)	16	4-Full Settlement 7-No Settlement 3-Closed Before Session 2-Out of ENE
John Bergeron (***)	13	2-Full Settlement 6-No Settlement 3-Closed Before Session 1-Out of ENE
Eileen M. Blackwood	42	15-Full Settlement 15-No Settlement 7-Closed Before Session 3-Out of ENE
Stephen S. Blodgett	41	8-Full Settlement 21-No Settlement 4-Closed Before Session 9-Out of ENE
Samuel S. Bloomberg	17	1-Full Settlement 1-Partial Settlement 10-No Settlement 5-Closed Before Session 1-Out of ENE
John J. Boylan III (***)	9	2-Full Settlement 4-No Settlement 1-Closed Before Session 1-Out of ENE
Hon. Alden T. Bryan (**)	23	3-Full Settlement 7-No Settlement 1-Partial Settlement 7-Closed Before Session 6-Out of ENE

<i>Evaluator</i>	<i># of Cases Assigned</i>	<i>Results of Sessions</i>
Joseph F. Cahill, Jr.	27	4-Full Settlement 1-Partial Settlement 15-No Settlement 6-Closed Before Session 2-Out of ENE
Richard T. Cassidy	49	20-Full Settlement 17-No Settlement 8-Closed Before Session 4-Out of ENE
David Cleary (***)	27	9-Full Settlement 1-Partial Settlement 10-No Settlement 4-Closed Before Session
Stephen R. Crampton	6	1-Full Settlement 1-No Settlement 3-Settled Before Session 1-Out of ENE
Christopher L. Davis	57	13-Full Settlement 28-No Settlement 11-Closed Before Session 5-Out of ENE
Hon. Hilton H. Dier, Jr.	37	8-Full Settlement 1-Partial Settlement 19-No Settlement 8-Closed Before Session 1-Out of ENE
James A. Dumont	33	9-Full Settlement 13-No Settlement 8-Closed Before Session 3-Out of ENE
Ellen M. Fallon (**)	16	2-Full Settlement 5-No Settlement 4-Closed Before Session 2-Out of ENE
William A. Fead	21	8-Full Settlement 7-No Settlement 7-Closed Before Session 1-Out of ENE
John H. Fitzhugh	38	4-Full Settlement 1-Partial Settlement 22-No Settlement 8-Closed Before Session 3-Out of ENE
James C. Gallagher	33	6-Full Settlement 15-No Settlement 6-Closed Before Session 3-Out of ENE

<i>Evaluator</i>	<i># of Cases Assigned</i>	<i>Results of Sessions</i>
Robert P. Gerety, Jr.	43	9-Full Settlement 28-No Settlement 5-Closed Before Session 4-Out of ENE
Michael F. Hanley (**)	25	6-Full Settlement 11-No Settlement 7-Closed Before Session 1-Out of ENE
Robert B. Hemley (**)	30	8-Full Settlement 2-Partial Settlement 8-No Settlement 7-Closed Before Session 1-Out of ENE
John R. Hughes, Jr.	20	2-Full Settlement 1-Partial Settlement 7-No Settlement 5-Closed Before Session 5-Out of ENE
Peter B. Joslin	55	16-Full Settlement 2-Partial Settlement 23-No Settlement 10-Closed Before Session 1-Out of ENE
Mark A. Kaplan	20	7-Full Settlement 1-Partial Settlement 7-No Settlement 4-Out of ENE
Mary Kehoe	15	3-Full Settlement 8-No Settlement 7-Closed Before Session
Mary Kirkpatrick (***)	4	2-No Settlement 2-Closed Before Session
Catherine Kronk	16	3-Full Settlement 6-No Settlement 4-Closed Before Session 1-Out of ENE
Anthony Lamb (**)	24	7-Full Settlement 2-Partial Settlement 7-No Settlement 5-Closed Before Session 2-Out of ENE
Robert E. Manchester	14	1-Full Settlement 10-No Settlement 2-Closed Before Session

<i>Evaluator</i>	<i># of Cases Assigned</i>	<i>Results of Sessions</i>
Karen McAndrew	22	4-Full Settlement 12-No Settlement 4-Closed Before Session 3-Out of ENE
Thomas E. McCormick	57	11-Full Settlement 32-No Settlement 8-Closed Before Session 3-Out of ENE
Robert R. McKearin	36	6-Full Settlement 15-No Settlement 7-Closed Before Session 4-Out of ENE
Hon. John P. Meaker (***)	6	1-Closed Before Session 5-Out of ENE
William H. Meub	37	18-Full Settlement 12-No Settlement 4-Closed Before Session 4-Out of ENE
James W. Murdoch	25	4-Full Settlement 1-Partial Settlement 19-No Settlement 3-Closed Before Session
Hon. Richard W. Norton (****)	1	1-No Settlement
Arthur O'Dea (**)	207	88-Full Settlement 1-Partial Settlement 73-No Settlement 37-Closed Before Session 10-Out of ENE
Jerome F. O'Neill	21	8-Full Settlement 8-No Settlement 5-Closed Before Session 1-Out of ENE
Donald J. Rendall (***)	12	5-No Settlement 6-Closed Before Session
James W. Runcie (**)	15	3- Full Settlement 4-No Settlement 6-Closed Before Session 1-Out of ENE
Stephen L. Saltonstall	19	3-Full Settlement 10-No Settlement 6-Closed Before Session 2-Out of ENE
Potter Stewart, Jr.	54	11-Full Settlement 22-No Settlement 13-Closed Before Session 8-Out of ENE

<i>Evaluator</i>	<i># of Cases Assigned</i>	<i>Results of Sessions</i>
Susan M. Sussman (**)	7	2-Full Settlement 3-No Settlement 1-Closed Before Session 1-Out of ENE
Joan Loring Wing (**)	52	22-Full Settlement 2-Partial Settlement 12-No Settlement 11-Closed Before Session 3-Out of ENE
Robert E. Woolmington (**)	8	1-Full Settlement 4-No Settlement 1-Closed Before Session 2-Out of ENE
Dinah Yessne (**)	4	1-No Settlement 2-Closed Before Session 1-Out of ENE
TOTAL	1442*	Average = 29

**trained 09/03/98

***trained 10/18/01

****added 08/2007

*We have omitted data re: Douglas Richards and James Suskin .

EVALUATOR USAGE AS OF 10/31/07

(Stipulated To By Parties For Those Not on the Court's Official Roster)

Evaluator	# of Cases Assigned	Results of Sessions
Richard Affolter	3	1-Full Settlement 1-Closed Before Session 1-Out of ENE
Leo Bisson	13	5-Full Settlement 7-No Settlement 2-Closed Before Session
Heather Briggs	1	1-No Settlement
Victoria J. Brown	1	1-Closed Before Session
Daniel Burchard	1	1-Out of ENE
Jim Carroll	1	1-No Settlement
Mark Chadurjian	1	1-Closed Before Session
Michael Clapp	1	1-No Settlement
Gregory Clayton	1	1-Full Settlement
James Coffrin	1	1-No Settlement
Jerry Cohen	1	1-Full Settlement
John Collins	1	1-No Settlement
Patrick Coughlin	1	1-No Settlement
Geoffrey Crawford	1	1-No Settlement
Lawrin P. Crispe	1	1-No Settlement
Rogert Deitz	1	1-Full Settlement
Denise Deschenes	1	1-Full Settlement 1-No Settlement
M. Jerome Diamond	1	1-No Settlement
Lisa Dolak	1	1-No Settlement
Kenneth Feinberg	1	1-No Settlement
Richard P. Foote	2	1-Full Settlement 1-No Settlement
Michael G. Furlong	1	1-No Settlement
Hon. Carl Gum	1	1-No Settlement
Samuel Hoar, Jr.	4	1-Full Settlement 2-No Settlement
Donald S. Holland	1	1-Full Settlement

Evaluator	# of Cases Assigned	Results of Sessions
Joseph Iandiorio	2	1-No Settlement 1-Closed Before Session
Edward Infante	1	N/A
John Kassel	1	1-Full Settlement
Christopher Kauders	1	1-No Settlement
Robert Keiner	1	1-No Settlement
John Kellner	1	1-Out of ENE
Allan R. Keyes	1	1-No Settlement
Spencer Knapp	1	1-Closed Before Session
Peter Kunin	1	1-Full Settlement
Ira B. Lobel	1	1-No Settlement
Robert Lotty	1	1-Closed Before Session
Robert B. Luce	1	1-Full Settlement
Andrew Manitsky	1	1-Closed Before Session
Michael Marks	12	4-Full Settlement 4-No Settlement 2-Closed Before ENE
Hon. Stephen B. Martin	1	1-Full Settlement
Hon. David A. Mazzone	3	1-Closed Before Session 2-Out of ENE
Robert McClallen	2	1-Full Settlement 1-No Settlement
Robert Mello	15	4-Full Settlement 10-No Settlement 1-Closed Before ENE 1-Out of ENE
Gregory Mertz	1	1-Full Settlement
John Monahan, Jr.	1	1-No Settlement
Glenn Morgan	1	1-Closed Before ENE
Jerrold A. Olanoff	1	1-No Settlement
David A. Otterman	1	1-Full Settlement
Mitchell Pearl	2	1-Full Settlement 1-No Settlement
Myron Stuart Pessin	2	1-Full Settlement 1-No Settlement

ATTACHMENT 3B

<u>Evaluator</u>	<u># of Cases Assigned</u>	<u>Results of Sessions</u>
Donald Powers	2	1-Full Settlement
Robert Rachlin	3	1-Partial Settlement 1-No Settlement
Robert K. Reis	1	1-Closed Before ENE
Amy Rothstein	1	1-Closed Before Sessions
Shapleigh Smith, Jr.	1	1-Partial Settlement
James Spink	88	28-Full Settlement 2-Partial Settlement 37-No Settlement 16-Closed Before Session 1-Out of ENE
Gordon Troy	1	1-Closed Before Session
Oreste V. Valsangiacomo, Jr.	1	1-No Settlement
James Vana	1	1-No Settlement
John B. Webber	5	1-Full Settlement 1-No Settlement 2-Closed Before Session 1-Out of ENE
Glen Yates	5	4-Closed Before Session 1-Out of ENE
John Zawistowski	1	1-Full Settlement
TOTAL	210	Average = 3.5