

IN THE CIRCUIT COURT OF THE STATE OF OREGON
 FOR THE COUNTY OF MULTNOMAH
 Court Mandatory Arbitration Program ORS 36.400

Plaintiff/Petitioner,)	CASE # _____
)	
vs.)	
)	ARBITRATION AWARD
)	OR
Defendant/Respondent)	SETTLEMENT NOTICE

THIS CASE HAS BEEN SETTLED. NO ARBITRATION AWARD WILL BE FILED.

A HEARING WAS HELD ON THE _____ DAY OF _____, 20____.

THE CLAIMS OF THE PARTIES HAVE BEEN RESOLVED AS FOLLOWS:

IS ANY PART OF THIS AWARD BASED ON THE FAILURE OF ANY PARTY TO PARTICIPATE?

YES NO

IF "YES" THE IDENTITY OF THE NON-PARTICIPATING PARTY IS: _____

ARBITRATION AWARD

AWARD CREDITOR: _____

AWARD CREDITOR'S ATTY: _____

AWARD DEBTOR: _____

AWARD DEBTOR'S ATTY: _____

AWARD AMOUNT: _____

PRE-AWARD INTEREST: _____

POST AWARD INTEREST: _____

COSTS (INCLUDING
 PREVAILING PARTY
 AND ARBITRATION FEES) _____

ATTORNEY FEES: _____

CERTIFICATION

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE AND THAT I HAVE
 SERVED TRUE COPIES OF THIS AWARD ON ALL PARTIES/ATTORNEYS OF RECORD BY

MAIL FAX HAND DELIVERY

AT THEIR ADDRESSES AS SET OUT HERE:

DATE: _____

ARBITRATOR

To Appeal This Award

Time within which Appeal Must Be Filed: “ORS 36.425(2)(a) Within 20 days after the filing of a decision and award with the clerk of the court under subsection (1) of this section, a party against whom relief is granted by the decision and award or a party whose claim for relief was greater than the relief granted to the party by the decision and award, but no other party, may file with the clerk a written notice of appeal and request for a trial de novo of the action in the court on all issues of law and fact. A copy of the notice of appeal and request for a trial de novo must be served on all other parties to the proceeding. After the filing of the written notice a trial de novo of the action shall be held. If the action is triable by right to a jury and a jury is demanded by a party having the right of trial by jury, the trial de novo shall include a jury.”

ORCP 10 C may apply to the time for filing the notice of appeal. See *Guess v. Lee*, 198 Or App 304 (2005).

Fees and Deposit Required: At the time of filing a notice of appeal, the party filing must also satisfy the requirements of ORS 36.425 (2)(b) and (c), which provide:

“(b) If a party files a written notice under paragraph (a) of this subsection, a trial fee or jury trial fee, as applicable, shall be collected as provided in ORS 21.270.

(c) A party filing a written notice under paragraph (a) of this subsection shall deposit with the clerk of the court the sum of \$150. If the position under the arbitration decision and award of the party filing the written notice is not improved as a result of a judgment in the action on the trial de novo, the clerk shall dispose of the sum deposited in the same manner as a fee collected by the clerk. If the position of the party is improved as a result of a judgment, the clerk shall return the sum deposited to the party. If the court finds that the party filing the written notice is then unable to pay all or any part of the sum to be deposited, the court may waive in whole or in part, defer in whole or in part, or both, the sum. If the sum or any part thereof is so deferred and the position of the party is not improved as a result of a judgment, the deferred amount shall be paid by the party according to the terms of the deferral.”