

MODEL PARAGRAPH TO BE INCLUDED IN SETTLEMENT AGREEMENT, WHERE THE PARTIES WANT THE MEDIATOR TO SERVE AS AN ARBITRATOR OF ANY SUBSEQUENT RELATED DISPUTES:

Any dispute arising out of or related to this agreement or the settlement of this matter [(with the exception of contempt proceedings brought for violation of the Injunction)] shall be resolved by arbitration before **[NAME OF MEDIATOR]** in accordance with JAMS Comprehensive Arbitration Rules and Procedures. If **[NAME OF MEDIATOR]** is unable to serve as the arbitrator, JAMS will appoint an arbitrator pursuant to Comprehensive Rule 15. The arbitrator shall award reasonable attorneys' fees and costs to the prevailing party in the arbitration. The fact that the arbitrator presided as mediator shall not provide any basis to seek the disqualification of **[him/her]** as the arbitrator, whether pursuant to [CCP Section 1281.9 / state law] or otherwise, and the parties waive the right to do so. The fact that the arbitrator presided as mediator shall not provide any basis for the award to be vacated or modified, and the parties agree not to seek to vacate or modify the award nor to oppose confirmation on such ground.