

OPT OUT

The undersigned amend the _____ agreement dated _____ by deleting the designated arbitrator/arbitration provision (paragraph/article ____) is its entirety, and substituting in its stead:

A claim relating to, concerning, regarding or arising from this agreement/contract shall be heard in arbitration conducted by ARC Mediation, West Palm Beach, Florida. The claimant shall initiate arbitration by providing a petition for arbitration upon the other, responding party, setting forth the claim with the specificity of a complaint as if filed pursuant to the *Florida Rules of Civil Procedure*.

Within twenty days after receipt of the petition, the responding party shall respond, and within ten days thereafter, the disputing parties shall confer to agree upon an arbitrator. If the disputing parties cannot agree, then the petitioner shall inform ARC Mediation, and ARC Mediation shall appoint an arbitrator. Plaintiff shall expeditiously and with due diligence provide the arbitrator the petition, and shall expeditiously schedule with the arbitrator and responding party the initial Pre Final Hearing Arbitration Conference.

The arbitrator's decision shall be an award unless the disputing parties stipulate otherwise in writing to the arbitrator. Arbitration shall proceed pursuant to the Florida Arbitration Code and *Fla.R.Civ.P.* Rules 1.820, or 1.830, as is appropriate to the proceeding, whether non-binding or binding.

Petitioner shall be responsible for the arbitrator's fees to initiate arbitration. The disputing parties shall then evenly split the entire fees, the fees to be paid pursuant to a schedule provided by ARC Mediation. If a disputing party fails to make a required payment, then that party's claim or defenses will be dismissed or a default entered, respectively.

IT IS SO AGREED

Claimant

Respondent