**Mediator Information**

**Gained from Pre-Mediation Meetings**

Recently, Bob and some of his college friends were taking a shortcut home and they cut through Mr Conrad's back garden. They jumped over Mr Conrad's fence, and ended up breaking up about 10 feet of it as Bob's foot caught on the fence. Mr Conrad witnessed the act and was able to grab Bob before he ran off. Mr Conrad insisted that Bob pay for the repairs, which he had agreed to do. However, when Mr Conrad called Bob with an estimate of €440, Bob said he did not have the money and thought it was an "outrageous" amount.

Mr Conrad says he will take Bob to court if he does not pay, but agreed first to try mediation at the suggestion of Bob’s college. He has a written estimate.

**Disputant A Information – Mr Conrad**

You live alone, a widower since your wife died two years ago. Last week you were sitting on your back porch smoking a late night cigarette when you heard a crash, some loud voices, and then saw a bunch of college kids, who were cutting through your garden AGAIN and climbing and jumping over your wooden fence. The last one, Bob, apparently got his foot caught, fell over and took down about ten feet of the fence with him. You ran out and confronted him, and he agreed to pay you for the repairs.

You are fed up to the back teeth with local kids using your property as a short cut and damaging plants and flowers. There’s no respect for private property these days…

You called him with the estimate and now he's refusing to pay...says he doesn't have the money. He's damn lucky you don't have him arrested! You will take him to court if he doesn't pay up. You’re sick and tired of being taken advantage of just because you’re older. These kids have got to learn somehow. You know Bob’s parents who live round the corner and like them, but somebody has to pay to rebuild the fence – and it’s not you!

The college called and asked you to meet with a mediator and Bob. You agreed, and you've brought along a written estimate: Reilly’s Lumber provided the

Estimate:

Materials: €200 (trellis, hinges for gate, paint, lumber)

Cost of labour: €240 (€40 per hour x 6 hours)

Total €440

***Note to Disputants:***

*Ensure that you are eventually reasonable, although angry & upset at first, and respond to the mediator’s skills*

**Disputant B Information**

Last weekend you and some friends were taking the shortcut back to your house through neighbourhood back gardens on the way home from a college party. As you jumped a fence your foot caught in it and you ended up knocking down about 10 feet of a wooden fence and trellis. Your friends, in their drunken state, really thrashed the fallen part of the fence trying to "help" you get your foot unstuck from the trellis. It was just your luck that the owner, Mr Conrad, was on his back porch and heard the whole thing. Initially, he was pretty nice about it, after he ran out and grabbed you (your friends just disappeared), and you promised to pay him for the fence this week. But then he called you with the estimate...€440! You don't have that kind of money. The old man must be crazy if he thinks you’re going to pay for an entire new fence. He is seriously ripping you off.

Mr Conrad has threatened to go to court to collect if you don't pay up. You called the college mediation centre, hoping they could get you get out of this mess. You are very concerned as you are in your last year of college and don't need this old guy making a stink with something that could cause a problem with potential employers.

Your parents are also really ticked off about this happening as they have known Mr Conrad (and his wife before she died) for years and have told you that you need to get this sorted out. Meanwhile, your ‘friends’ are just laughing amongst themselves and not offering to pay anything towards the damage.

***Note to Disputants:***

*Ensure that you are eventually reasonable, although angry & upset at first, and respond to the mediator’s skills*