

Special Arbitration Online Decision Entry Procedure

You need an AF User ID and Password to enter decisions online. If you have forgotten your Password, go to AF's website (www.arbfile.org), click **Forgot Password**, enter your email address or User ID, then follow the prompts to receive a new case sensitive Password.

Step 1: After you log in, click *Member Access*, then *Decision Management*, then *Enter a Decision*.

ARBITRATION FORUMS, INC. MY	Arbfile	TLE Welcome DOUG NINOW My Arbfile Log Out				
Home My Arbfile	Member Directory Member Acce	ss 🔻 E-Subro 🔻 E-Speed	 Administration Reports 			
Helpful Links	My Watches					
Member Directory Becoming an Arbitrator How to Join Rules & Agreements Application Templates FAQs	Welcon Online Filing You are nc Billing	le hember only sect	ion of Arbitration Forums,			
Latest News	Inc.'s web Address Verific	can access inform	nation about your cases,			
IMPORTANT MESSAGE: AF's Web site will be down for routine maintenance from 11:30pm E Friday, August 07 until 6:00am EST Monday, August 10.	reports an Decision Manag	ement Enter a Decision	>			
AFNews Summer 2009 Issue Now Available	Case Lookup	issword iviy vvatches	My Reports			
Any questions regarding Chrysler's Membersh status in light of bankruptcy, click here	D To search for cases by AF ID, File Number, or Insured Info, <u>click here</u> .	To view a listing of all of your dockets, <u>click here</u> .	To view a comprehensive listing of all your reports, <u>click here</u> .			
Member Service Department Now Operational						
NY PIP Rule Revised Effective August 1, 2009 NY PIP Forum Rules have been revised, effective for all filings received on and after August 1, 200	9					
<u>Procedural Clarification - Affirmative Pleadings</u> AF outlines the purpose of affirmative pleadings and how they are raised and considered.	<u>.</u>					
view more articles	>>					
Home Member Directory Rules & Agreements FA	Q Sitemap Careers About Conta	act				
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Step 2: Enter the docket number that you're hearing and click *Submit*, or click one of the assigned cases.

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rlow is your list of assigned dockets. Please hear the	cases, in order, starting at the top, using the links along the left side. If your it	st is empty, you can manually enter a docket using the field above. If yo	u have any questi	ons, please contact you	r FAM.				
I2 cases found, displaying 1 to 20. [FirstPrev] 1, 2 [Sent Last								
Docket Number	Status	Days Assigned			Date Assigne	d			
4033000011000	in Progress	66			Feb 20, 2012				
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A029000041000	Ready to hear	66			Feb 20, 2012				
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Step 3: Enter the information that appears on the screen below.

NOTE: Periodically click Save to save your work.

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Arbitrator 3: ned Decision Sheet?: Ye	es, this is a signed AF decision sheet 💌		Staff Hearing: No			
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Hearing Represe spondent 1 Hearing Represe ngs (for ADs and Defer Cf irmative Defense Finding spondent 1 firm. Defense Requested: firm. Defense Granted?	ntation Application Contentions Evid ntation Application Contentions Evid allenges) s Respondent 1 raised an effirmative defense of ty '25000'	ence Personal Appearance ence Personal Appearance Nc ence Personal Appearance Nc ence Personal Appearance Links	Answer			_
ferment Request Findings ferment Information: - iferment Granted?	Respondent 1 requested a deferment. Please ref Deferment request <i>automatically</i> challenged.	er to their contention sheet for further o	letals.			_
planation						

1. General Information

Date Heard: Enter the date that you hear the case using MM/DD/YYYY format. You can also use the calendar icon to select the date. Today's date is the default choice.

Arbitrator 1: Your name will automatically populate based on your User ID and Password. For three-person panels, click on *Arbitrator 2*, type the arbitrator's last name, click *Filter*, and then select the correct name from the available list. Repeat for Arbitrator 3.

2. Case Information

This information is pre-filled. You do not need to enter anything. Simply compare the information to that in the file to ensure you are in the correct case.

3. Hearing Representation

Click each box that applies for each party.

Click *Application* if there is a Special form.

Click *Contentions* if there is a Contentions Sheet.

Click *Evidence* if evidence is submitted.

Click *Personal Appearance* if someone appeared the hearing. If an appearance was made you will be prompted to enter the person's name and role (Attorney, Company Representative, Insured, Expert, Witness). To enter this information, click *Add a Representative*, enter his or her First and Last Name, and select his or her role. Repeat if multiple appearances were made.

Click No Answer if a Respondent did not respond to the arbitration filing.

4. Affirmative Defense Finding

If an Affirmative Defense has been asserted, you will note your Finding by selecting "Yes" if the Affirmative Defense is Granted (i.e. it is valid and/or applicable) or "No" if it is not Granted. You will also type in your rationale or explanation for your Finding. This field should never say only, "Affirmative Defense considered and denied" or "…considered and granted." That tells the parties nothing about why you found as you did. Why was the Affirmative Defense upheld or denied? If the Affirmative Defense is upheld you will be done entering the decision as arbitration lacks jurisdiction over the matter. If the Affirmative Defense is denied, you will continue to enter your decision.

5. Deferment Finding

If a deferment has been requested, you will note your Finding on the deferment request by selecting "Yes" if the deferment is granted or "No" if not. You will also type your rationale or explanation for your Finding. Why was the deferment request granted or not? If the deferment is granted, you will be done entering the decision and the case will be deferred for one year. If the deferment is denied, you will continue to enter your decision.

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Synopsis of Evidence			

6. Decision Information

• **Summary of Dispute:** Enter the issue(s) of dispute for each party. For example, "Alpha seeks contribution from Beta for a BI settlement arising out of an auto accident' or "This is a concurrent coverage dispute between the insurer for a general contractor and the insurer for a sub-contractor, who added the general contractor as an additional insured on

their policy, in an alleged construction defect claim" or "Alpha seeks recovery of WC benefits paid as a result of a slip and fall accident."

- **Synopsis of Contentions:** Enter a summary of each party's position and at a minimum should provide the theory of recovery/liability or theory of defense.
- **Synopsis of Evidence:** This section should contain a summary of how the evidence supports or fails to support the Contentions pled by that party. Avoid merely listing the evidence.

Worksheet							
						Damages Proven	6 80000.00
	7	1. % of liability or coverage assigned	2. Dollar amount based on assigned % of Damages Proven	3. Dollar amount in column 2 less amount paid	4. Lesser of amount in column 3 or Contribution Sought	S. Legal fees	6. Final Award
	Company 1 - ALPHA INDEHNITY INSURANCE COMPANY		F 0.00	s 0100	# 0100	÷ 0.00	E: 0,00
	Company 2 - BETA INSURANCE COMPANY		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	8 0.00
Decision Pecision Explanation of Decision	۵ ۲ ۲	3					
Save Submit Providew	Diocher Details Concer						

7. Worksheet

The **Worksheet** section is pre-filled with Total Settlement Amount under **Damages Proven**. If the total damages were not proven, you will enter the actual amount that was proven. You will then enter the **Liability or Coverage Assigned** percentage in column 1, which will pre-fill column 2, **Dollar amount based on assigned % of Damages Proven**. Subtract any payment already made, from the calculated contribution, from the amount in Column 2 and enter that amount in Column 3, **Dollar amount in Column 2 less amount paid**. Column 3 does not pre-fill and <u>must have a value entered</u>. Column 4 will pre-fill once an amount is entered into Column 3. If **Legal Fees** are being awarded, enter that amount in Column 5. The final column, **Final Award**, will pre-fill based on the amounts in Columns 1 – 5.

8. Decision

- **Decision:** Enter your Basis of Findings. This is typically a brief statement as to whether or not liability and/or damages were proven and in what amount. Some examples include: "Alpha (Company Name) proved liability at _%"; "Alpha (Company Name) did not prove liability"; "Alpha (Company Name) proved damages at \$_, liability not at issue."
- **Explanation of Decision:** This section should bring it all together. Enter an explanation as to how you arrived at your decision, what issues were important, what evidence was critical, any rules that were particularly impacted in the decision and address the arguments that were not accepted so the non-prevailing party is confident they were considered.

Step 4: After you enter all the information and double check your entries and spelling, click *Submit*. For three-person panels, the second and third panelist must enter their respective passwords before clicking *Submit*.