

# Agreement to Mediate and Confidentiality using an Electronic Signature

TC-102E  
Rev. 2/15

## Section A - Parties and Appeal Number (see your notice to complete)

Petitioner	Appeal No.
Respondent	Mediator (completed by Commission)
Ex rel party (when applicable)	

## Section B - Confidentiality Guidelines (read thoroughly)

- All written documents and exhibits remain the property of the party submitting them, and do not become a part of any public record of the Tax Commission.
- The following confidentiality standards are binding on the mediator:
  - Information disclosed in private to the mediator and identified by the disclosing party as confidential will not be revealed to the opposing party by the mediator without the consent of the disclosing party.
  - In the event that this matter is set for a hearing, the mediator will not participate in the hearing either as a witness or to advise the Commission's decision. If the mediator is a Tax Commissioner or an Administrative Law Judge of the Tax Commission, the mediator will recuse himself or herself from hearing the matter, participating in deliberation of the matter, or engaging in further discussions of the matter.
  - The mediator's personal notes and work papers will not become part of the Tax Commission's records. To the extent that either party has a legal right to demand access to the mediator's personal notes, that right is hereby waived.
- The following confidentiality standards are binding on the parties by agreement between them:
  - The parties will not at any time, before, during, or after mediation, call the mediator as a witness in any legal or administrative proceeding concerning this dispute. To the extent that a party has a legal right to call the mediator as a witness, that right is hereby waived.
  - When a party offers confidential information or documentation that is not otherwise available to the other party through independent sources, that information or documentation may not be used for any purpose except to advance settlement discussions. To the extent that the opposing party has a legal right to offer that information as evidence in a hearing, that is hereby waived.
- The parties and mediator agree that any commercial information that was previously unknown or not in the possession of the nondisclosing party or mediator, that is disclosed by another person during the course of the mediation, may not be disclosed to any other person outside the mediation proceeding.

## Section C - Agreement and Electronic Signature

### How to complete your electronic signature:

Works best using Adobe Reader 11 or newer. May not work on many phones or tablets.

Each party listed below must complete a separate form and sign it. Check the box below that best represents your status to this Mediation. Type your name in the signature field provided. Retype your name and title in the field provided and enter the date.

By following these steps, you have acknowledged that you are a party to this Mediation and agree with the following statement. You must provide an email address and phone number below.

I, the undersigned, understand participation in mediation is voluntary. I have read the Agreement to Mediate and Confidentiality Agreement thoroughly and agree to the terms of mediation, and to be bound by the confidentiality guidelines in the agreement.

Check one that applies  Petitioner  Petitioner's Representative  Respondent  Respondent's Representative  
 Ex rel party  Ex rel party's Representative

Signature	Print name and title (if applicable)	Date
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For verification purposes, provide the email address you will use to send this form and a phone number where you can be contacted.

Email address: \_\_\_\_\_ Daytime phone number: \_\_\_\_\_

### How to Save and Rename This Form to Send by Email

All information requested is required and must be completed before sending it to Tax Appeals.

Click on the "File" tab at the top left corner of Acrobat Reader and select "Save As". Give the form a name that is related to this mediation request and save it at a location that you can find later. Send PDF form to TaxAppeals@utah.gov by email. In the subject line of your email, put the appeal number. You will receive a confirmation by email. If you have questions, contact Tax Appeals at 801-297-3904.

### To be completed by the Commission

Mediator's signature	Print name and title (if applicable)	Date
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