

# PRE-MEDIATION CHECKLIST

TO ASSIST YOU IN PREPARING FOR YOUR UPCOMING MEDIATION OR SETTLEMENT MEETING

**HAVE I CONSULTED A MCKELLAR STRUCTURE SPECIALIST?**

Should I have a McKellar broker attend the mediation?

*If yes*, have I notified all parties?

**HAVE I FORWARDED MEDICAL INFORMATION TO MCKELLAR?**

» Allow 1 week for impairment rating (life expectancy) assessment.

**HAVE STRUCTURE PROPOSALS AND INTRODUCTORY INFORMATION BEEN OBTAINED?**

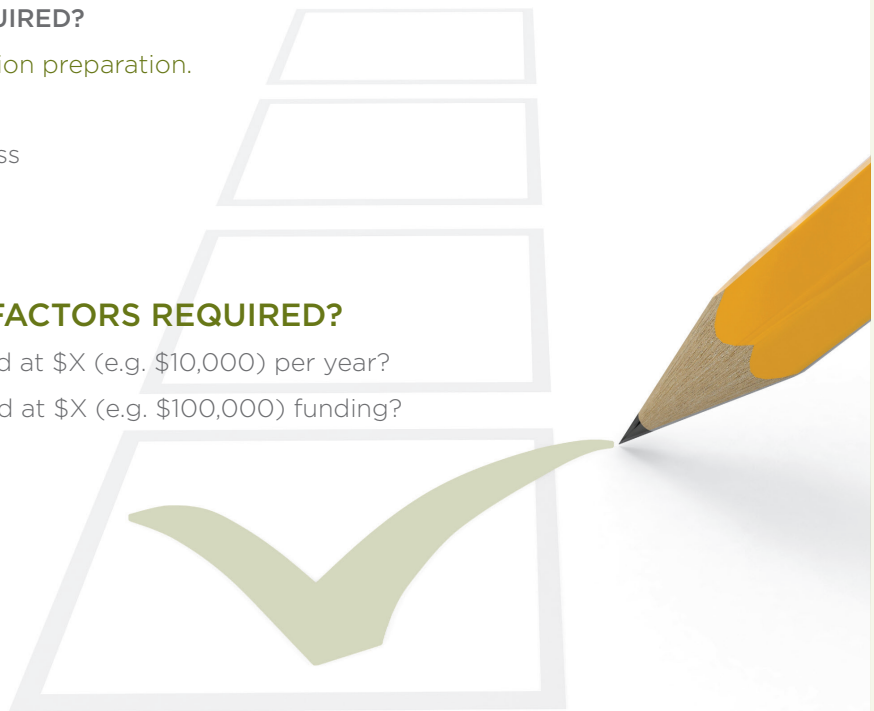
**ARE VALUATIONS REQUIRED?**

» Allow 1 week for valuation preparation.

- a) Future Care Costs
- b) Future Income Loss
- c) Accident Benefits

**ARE STRUCTURE FACTORS REQUIRED?**

- a) Multipliers required at \$X (e.g. \$10,000) per year?
- b) Multipliers required at \$X (e.g. \$100,000) funding?



**McKellar** STRUCTURED  
SETTLEMENTS

*Now you're sure.*

# SETTLEMENT CHECKLIST

TO ASSIST YOU IN CONFIRMING ALL NECESSARY STRUCTURE DETAILS

## OWNERSHIP

### WHO WILL OWN THE STRUCTURE?

One insurer?     Multiple insurers?

If neither, ASSIGNMENT is required: **a)** Will one assign whole structure?

**b)** Will they assign pro-rata?

**c)** Who will pay the fee(s) (may be more than one)?

## GUARANTEE

### IS THERE A REVERSION (*insurer is beneficiary*)?

*If yes,*

**a)** Has insurer specified amount to be structured?

**b)** Who pays cost of the guarantee?

**c)** Does insurer need to approve structure form?

### IS IT A FULL REVERSION, OR

### IS THERE A SHARED GUARANTEE (*split between plaintiff and insurer*)?

Shared by time: 1ST \_\_\_\_\_ YRS *to* \_\_\_\_\_, BALANCE *to* \_\_\_\_\_

Shared by percentage: \_\_\_\_\_% *to* PLAINTIFF'S BENEFICIARIES AND \_\_\_\_\_% *to* INSURER

Will each pay for its own portion of the guarantee? DETAILS: \_\_\_\_\_

## MINUTES OF SETTLEMENT

### DO THESE INCLUDE:

- Plaintiff's right to structure any or all of the settlement (or as otherwise outlined)?
- Name of structure firm to place the structure?
- Details of the checkpoints outlined above?
- Time frame for funding the structure?



*Now you're sure.*