

ATTACHMENT A

New language is underlined; deletions are in brackets.

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12000. CODE OF ARBITRATION PROCEDURE FOR CUSTOMER DISPUTES

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PART VIII SIMPLIFIED ARBITRATION, ACCELERATED PROCESSING, AND DEFAULT PROCEEDINGS

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12808. Accelerated Processing

(a) Requests for Accelerated Processing

(1) A party may request accelerated processing of a case when initiating an arbitration pursuant to Rule 12302 or filing an answer pursuant to Rule 12303, provided that the party making the request:

(A) is at least 70 years of age at the time of the request; or

(B) certifies, in the manner and form required by the Director,

that: (i) the party has received a medical diagnosis and prognosis and (ii) based on that medical diagnosis and prognosis, the party has a reasonable belief that accelerated processing of the case is necessary to prevent prejudicing the party's interest in the arbitration. The party shall not be required to disclose the details of their medical diagnosis or prognosis with the certification.

(2) A party's certification made pursuant to paragraph (a)(1)(B) of this Rule shall not alone be sufficient grounds to compel the production of information concerning, or allow questioning at any hearing about, the party's medical condition, diagnosis or prognosis.

(3) A party who does not meet the requirements of paragraph (a)(1) of this Rule may request that the panel consider other factors, including a party's age and health, when scheduling hearings and discovery, briefing, and motions deadlines, but shall not qualify for accelerated processing pursuant to paragraph (a).

(b) Accelerating the Proceedings in Eligible Arbitrations

(1) The Director shall determine if a party's request for accelerated processing complies with the requirements of paragraph (a)(1) of this Rule.

(2) If the Director determines that a request complies with the requirements of paragraph (a)(1) of this Rule:

(A) the Director shall send the arbitrator lists generated by the list selection algorithm to all parties at the same time, as soon as practicable after the last answer is due, notwithstanding any agreement of the parties to extend any answer due date;

(B) the panel shall endeavor to render an award within 10 months of the date the Director determines that a case shall be subject to accelerated processing;

(C) the panel shall hold a prehearing conference at which it shall set discovery, briefing, and motions deadlines, and schedule hearing sessions, that are consistent with rendering an award within 10 months or less; and,

(D) all other provisions of the Code shall apply, except as modified as follows:

(i) respondent(s) must serve the signed and dated Submission Agreement and answer on each party, pursuant to Rule 12303, within 30 days of receipt of the statement of claim;

(ii) a party responding to a third party claim must serve all other parties with the signed and dated Submission Agreement and answer, pursuant to Rule 12306, within 30 days of receipt of the third party claim;

(iii) no more than 10 days after the date upon which the Director sends the arbitrator lists to the parties, the ranked arbitrator lists of each separately represented party, pursuant to Rule 12402 or Rule 12403, must be completed via the Party Portal or, if the party is a *pro se* customer who opted out of using the Party Portal pursuant to Rule 12300(a), returned to the Director by first-class mail, overnight mail service, hand delivery, email or facsimile;

(iv) unless the parties agree otherwise, within 35 days of the date the answer to the statement of claim is due, or, for parties added by amendment or third party claim, within 35 days of the date their answer is due, parties must respond to Document Production Lists pursuant to Rule 12506; and

(v) unless the parties agree otherwise, within 30 days from the date a discovery request other than the Document Production Lists is received, the party receiving the request must respond to the discovery request pursuant to Rule 12507(b)(1).

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13000. CODE OF ARBITRATION PROCEDURE FOR INDUSTRY DISPUTES

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PART VIII SIMPLIFIED ARBITRATION; DEFAULT PROCEEDINGS; SEXUAL ASSAULT CLAIMS, SEXUAL HARASSMENT CLAIMS, OR STATUTORY

EMPLOYMENT DISCRIMINATION CLAIMS; [AND] INJUNCTIVE RELIEF; AND
ACCELERATED PROCESSING

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13808. Accelerated Processing

(a) Requests for Accelerated Processing

(1) A party may request accelerated processing of a case when initiating an arbitration pursuant to Rule 13302 or filing an answer pursuant to Rule 13303, provided that the party making the request:

(A) is at least 70 years of age at the time of the request; or

(B) certifies, in the manner and form required by the Director,

that: (i) the party has received a medical diagnosis and prognosis and (ii) based on that medical diagnosis and prognosis, the party has a reasonable belief that accelerated processing of the case is necessary to prevent prejudicing the party's interest in the arbitration. The party shall not be required to disclose the details of their medical diagnosis or prognosis with the certification.

(2) A party's certification made pursuant to paragraph (a)(1)(B) of this Rule shall not alone be sufficient grounds to compel the production of information concerning, or allow questioning at any hearing about, the party's medical condition, diagnosis or prognosis.

(3) A party who does not meet the requirements of paragraph (a)(1) of this Rule may request that the panel consider other factors, including a party's age and health, when scheduling hearings and discovery, briefing, and motions deadlines, but shall not qualify for accelerated processing pursuant to paragraph (a).

(b) Accelerating the Proceedings in Eligible Arbitrations

(1) The Director shall determine if a party's request for accelerated processing complies with the requirements of paragraph (a)(1) of this Rule.

(2) If the Director determines that a request complies with the requirements of paragraph (a)(1) of this Rule:

(A) the Director shall send the arbitrator lists generated by the list selection algorithm to all parties at the same time, as soon as practicable after the last answer is due, notwithstanding any agreement of the parties to extend any answer due date;

(B) the panel shall endeavor to render an award within 10 months of the date the Director determines that a case shall be subject to accelerated processing;

(C) the panel shall hold a prehearing conference at which it shall set discovery, briefing, and motions deadlines, and schedule hearing sessions, that are consistent with rendering an award within 10 months or less; and,

(D) all other provisions of the Code shall apply, except as modified as follows:

(i) respondent(s) must serve the signed and dated Submission Agreement and answer on each party, pursuant to Rule 13303, within 30 days of receipt of the statement of claim;

(ii) a party responding to a third party claim must serve all other parties with the signed and dated Submission Agreement and answer, pursuant to Rule 13306, within 30 days of receipt of the third party claim;

(iii) no more than 10 days after the date upon which the Director sends the arbitrator lists to the parties, the ranked

arbitrator lists of each separately represented party, pursuant to Rule 13404, must be completed via the Party Portal; and

(iv) unless the parties agree otherwise, within 30 days from the date a discovery request is received, the party receiving the request must respond to the discovery request pursuant to Rule 13507.

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