

Editorial:
“MEDIATION IN FIRE CASES”

Have you ever been involved in a large fire claim or lawsuit suit which was ripe for mediation, but had difficulty finding a mediator who understood fire science issues?

Because of an increasing demand for mediators who understand fire science principles, Tedford & Henry, LLP, has begun devoting a portion of its practice to mediating fire cases. Our experience in litigating fire science cases, either as plaintiff’s counsel or as defense counsel, and our extensive training in fire science places our firm in a unique position to act as a mediator to help resolve complex fire-related litigation. We understand the often difficult and distinctive issues accompanying litigation involving fires and explosions.

Litigating fire cases can be a very costly process, which usually results in a jury attempting to sort through difficult issues and arrive at a fair and just result. Ted Tedford and Brian Henry understand fire science issues and have the credibility and knowledge to act persuasively to bring disputing parties together for a fair settlement based on the strengths and weaknesses of each party’s position.

Mediation at the early stages of a fire case has the potential of resolving the conflict before vast sums are spent fine-tuning difficult defenses and offensive theories which juries will ultimately have difficulty understanding. Our experience with fire litigation, from shoveling at a fire scene to arriving at jury verdicts, has taught us that most cases can be resolved early if a knowledgeable mediator is involved with the parties to bring about a fair result given the strengths and weaknesses of each party’s position. Unfortunately, we have been involved in mediations of difficult fire cases where the mediator has no understanding of fire science and has been ineffective in bringing about a resolution due to that lack of understanding of the relative strengths and weaknesses of each side’s case.

How early in the litigation process can a case be realistically mediated depends on the case. However, as soon as experts have formulated their opinions, the case could be ripe for mediation.

If you think mediation of your case would make economic sense and would like to mediate it with people who understand fire science, then give us a call.