

Mediation in Civil Case

COOPERATIVE OF OWNERS OF GARAGES

There is a cooperative company „Alfa” established in Riga, Latvia. Members of the cooperative company pay monthly fee EUR 30 to the company and in return have rights to use 1 (one) garage each where to store their cars. There are ~ 200 members in the cooperative company and the garage block is significantly large.

One member of the cooperative company Mr Jānis Jonas has not paid his monthly fee for 3 (three) years. The cooperative company has repeatedly warned him about his debt, but no actions had followed. The cooperative company asks lawyer’s advice and prepares legal claim to the court. All in all Mr Jānis Jonas owns the company EUR 30 x 3 years x 12 months = EUR 1080. In addition the cooperative company claims legal interest percent 6% per year, which make additional EUR 64.80. The lawyer assures the company that this case is strong and the company will easily win the case in a time period shorter than 1 year. The lawyer also promises all possibilities to get lawyer’s expenses from the defendant.

When Mr Jānis Jonas receives documents from the court, he immediately submits a counter claim. Namely, he demands from the cooperative company “Alfa” EUR 2000. Mr Jānis Jonas writes in his counter claim that the garage is in such a poor technical condition that his car is totally damaged while being in the garage. The ceiling of the garage has holes and the rainwater is dropping thru, thus even creating kind of stalactites on the ceiling. The car has grew rusty, and therefore serious repairs and paining of the car was required. All technical details and car spare parts had either grew rusty or grew mouldy while in garage. Due to poor condition of the garage Mr Jānis Jonas had to rent another garage in the opposite side of city, which costs him EUR 45 per month.

The court will review both documents – the claim and the counter claim in the same court hearing.

Both parties believe their cases are strong and are ready to litigate whatever it takes. The lawyers are preparing for the case and convincing their clients to fight at the fullest. However after the judge talks to both parties, they are ready to try mediation to save their time and financial resources.

Organize mediation session in a civil case with the following persons:

1. A mediator;
2. Mr Jānis Jonas;
3. Cooperative company’s „Alfa” managing director Ms Inese Burve.

PARTNERS:

