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# HOSPITAL WORKS

## MEDIATION

### Instructions for the Mediator

You first learned of the dispute between P.D. Terrell and the Good Neighbor Hospital when you received a telephone call from M. J. Lewis, counsel for the defendant. Lewis said that you had been on a list of acceptable mediators given to Lewis by the plaintiff's counsel, F. Hamilton and that you had been recommended by a partner in Lewis's firm (with whom you had mediated successfully before).

You convened a brief telephone conference call with both counsel and learned the following facts about the case:

The plaintiff, P.D. Terrell, was hired a year ago by the Good Neighbor Hospital's former CEO and board of directors. The former CEO was forced out by the board approximately 6 months later. The former CEO had promoted the establishment of a luxury wing of the hospital for maternity, cosmetic, and other elective surgery, which caused some resentment in the lower-income neighborhood adjacent to the hospital, who claimed that the luxury wing increased traffic congestion and late-night ambulance noise. The plaintiff was brought in to address the abysmal state of community relations. While there is controversy over whether the plaintiff was succeeding, there is no controversy over the fact that he was fired a few weeks after a new CEO, Brian Watson, came on board.

The plaintiff's counsel contacted defense counsel and threatened suit for age discrimination (P.D. is 50 years old), indicating that his demand was \$2 million, based upon the \$100,000 per year in lost salary and benefits, back pay, front pay, emotional distress, and all the rest. The defense has not countered, except to suggest mediation.

The mediation will begin shortly. The plaintiff, P.D. Terrell, his lawyer, F. Hamilton, Brian Watson, CEO of the Good Neighbor Hospital, and his lawyer, M. J. Lewis, are waiting in the reception area. Good luck!