

# **ATTENTION**

**PLEASE READ THE ENCLOSED HEARING NOTICE AND FAQs IN THEIR ENTIRETY AS THEY CONTAIN IMPORTANT INFORMATION.**

**YOU MUST PROVIDE COPIES OF ALL PERTINENT DOCUMENTS TO THE ARBITRATOR AND OPPOSING PARTY, INCLUDING BUT NOT LIMITED TO ANY CONTRACT DOCUMENTS, PHOTOS AND PROOF OF FINANCIAL INJURY, AS WELL AS CORRECTION/COMPLETION ESTIMATES OR OTHER EXPERT WITNESS FINDINGS.**

**AMCC DOES NOT RECEIVE DOCUMENTS FROM THE CSLB. PLEASE KEEP ANY AND ALL ORIGINAL DOCUMENTS AS THEY WILL NOT BE RETURNED.**

**THE ARBITRATION AWARD RENDERED IS FINAL AND BINDING. THERE IS NO APPEAL PROCESS AND VERY LIMITED GROUNDS FOR A CORRECTION TO AN AWARD.**

## **CHECKLIST**

- I have thoroughly read both the Hearing Notice and Frequently Asked Questions.
- I have calendared my hearing date and time.
- I understand that neither AMCC nor the Arbitrator receive the Complaint Form, any information or documents I sent to the CSLB. I must submit these items if I want the Arbitrator to consider them.
- I understand that attorney fees will not be awarded in this forum.
- I have contacted the CSLB Industry Expert and any other Expert I will rely on to participate in the hearing.
- I have submitted my written testimony and documentary evidence to the opposing party directly and to the Arbitrator by the deadline provided on the Hearing Notice, including:
  - Contract documents
  - Correcting estimates
  - Photographs
  - Proof of financial injury
  - Proof of payments made or received
  - Any relevant information to aid in proving my case, avoiding any non-relevant information such as punitive damages, civil remedies or disciplinary requests.
- I have submitted my evidence in a meaningful order that will allow for the efficient presentation of my case; preferably in the order in which claims are submitted on the Submission to Arbitration form.
- I have proof for each claimed item and itemized my financial damages.
- I understand that I must keep originals as they will not be returned to me if submitted.
- I understand that the Arbitration Award is final and binding and that there is no appeal process.



# FREQUENTLY ASKED QUESTIONS

## **Q. Do I need an Attorney for the Arbitration hearing?**

A. *The choice to hire legal representation is at your sole discretion. Arbitrators are skilled in conducting hearings either with the individual parties representing themselves or with Counsel present. If you hire an attorney, please advise AMCC with a letter of representation. Be advised that attorney fees for the Arbitration proceedings are not subject to Award pursuant to Business & Professions Code §7085.3.*

## **Q. Should I send my evidence to the Arbitrator and opposing party in advance of the hearing?**

A. *Yes. Prior to the teleconference hearing, the parties must exchange their written testimony and documentary evidence with each other and the Arbitrator. Documents to the Arbitrator may be sent care of AMCC at the below address. The parties will have to accomplish this exchange prior to the deadline provided on the Hearing Notice.*

## **Q. How should I fill out my arbitration worksheet? What is this worksheet used for?**

A. *Please provide as much information on this form as possible; however the exclusion of data does not preclude it from being presented as evidence. The worksheet is for informational purposes only and is provided to the Arbitrator prior to the hearing.*

## **Q. Can I or my attorney subpoena documents and/or witnesses in the CSLB Arbitration process?**

A. *No. Documents and/or witnesses can be requested directly from the opposing party, but not subpoenaed, as there is no jurisdiction conferred on AMCC to order discovery.*

## **Q. I cannot make the date assigned for the hearing. How do I request a continuance?**

A. *The Arbitration should be treated similar to a court date and scheduled on your calendar with top priority. Continuances are limited and will only be granted for good cause if requested in timely fashion. In order to request a continuance, you must fill out a Request for Continuance form available at [www.AMCCenter.com](http://www.AMCCenter.com). Please submit this form via fax or mail as soon as possible for full consideration. **Note:** Submittal of a Request for Continuance **DOES NOT** guarantee that a continuance will be granted. If a continuance is granted, both parties will be notified. If a continuance is denied, the requesting party will be promptly notified.*

## **Q. If I have an Industry Expert and want him to participate in the hearing, what do I do?**

A. *It is your responsibility to arrange for all witnesses to participate in the hearing as scheduled, which includes the Industry Expert. You may provide the Industry Expert with the dial in instructions contained in your Hearing Notice. **Note:** Continuances are not typically granted for Experts that are unable to attend. The parties can utilize the written report submitted by the Expert.*

## **Q. What happens if I choose not to attend the hearing? Will a default judgment be made against me?**

A. *Failure to attend the scheduled hearing does not automatically result in a default judgment. If one or both parties fail to participate, the Arbitrator will continue with the proceedings assuming that both parties have received ample notice of the hearing date and time. The Arbitrator will consider all written testimony and documentation submitted by the parties as well as any verbal testimony offered during the hearing.*

## **Q. When will I know what the Arbitrator has decided?**

A. *Business and Professions Code §7085.5(q) provides for thirty (30) days from close of the hearing to render an Award. The Award will be sent via certified mail.*

