

Dispute Resolution. Redefined.

Simple, impartial and fast.
Access to justice, online.

Created for
the Construction Industry.

Immediation is the world's first comprehensive online dispute resolution platform. Accessed by business and individuals, it is impartial and non-aggressive, focussed on resolving disputes, avoiding escalation and maintaining business relationships.

Immediation is a unique service providing an end-to-end solution for the online resolution of disputes that can be accessed from the internet, without having to download software.

Immediation's service is fast, with transparent, up-front fees for dispute resolution services.

Immediation provides a platform to directly access a select-entry Expert Panel of highly qualified mediators, arbitrators and experts to resolve appropriate disputes online.

Immediation provides everything that's needed to resolve your dispute in one place online without having to go to court.

If proceedings have been issued, Immediation's streamlined process can be quickly accessed for pre-trial mediation.

Speed

We can help you solve your dispute in weeks, with our standard timeframe being 30 days.

Cost

We charge a fee that is fixed and proportional to dispute value for dispute resolution services. Using Immediation is likely to reduce legal fees and expenses such as travel costs.

Efficiency

Our process is efficient and fast, without procedural hurdles.

More Amicable

Our process is not adversarial, helping you preserve your important business relationships.

Transparency

Our fees are certain and payable at commencement. There are no extra costs or hidden surprises.

Ease of Use

Perfect for regional, interstate or international matters, you don't have to leave your desk to use Immediation.

Easy to Understand

Our process is simple and easy to follow, even for those who are not legally trained.

Immediation's Panel

We use a panel of highly experienced, leading experts that we have vetted and handpicked for their skills in settling or determining disputes.

Increased Choice

We can suggest the best neutral for your dispute, who will be available within the timeframe and who might be in a different city.

Risk and Outcome

We charge proportional costs and offer commercial solutions that are much wider than you can get in court.

Impartiality

Our experts are independent and won't take sides.

Dispute Resolution, redefined

Why it's time for Immediation

Not all lawyers are alike and Immediation Founder, Laura Keily, definitely breaks the mould. Backed by a team of experts, she is the innovator that is transforming the way disputes are resolved.

It is well documented that access to the legal system is out of reach for many people and businesses. As a barrister, I live and breathe the daily struggle of people and businesses to obtain legal remedies at a reasonable price.

The current court process is complex, lengthy and very expensive, with many judges and courts being overburdened. Typically, it can cost \$10,000 just to open a solicitor's file and the minimum legal fees for a small contested matter are likely to be around \$50,000.

According to the Law Society of NSW Commission of Inquiry 2017 Report 'Future of Law and Innovation in the Profession', delays in court proceedings can cause serious societal problems. The inquiry also found that there is a greater role for technology and innovation to aid access to justice.

Businesses and consumers are increasingly demanding greater value, more competitive pricing and other reforms. The regulatory landscape has changed significantly, requiring businesses to resolve a greater number of disputes with customers than ever before. The community also is expressing a preference for important issues to be resolved in a more sophisticated manner than adversarial and acrimonious debate.

This is why I created **Immediation**.



Laura Keily
Founder

What is Immediation? The Innovative Platform

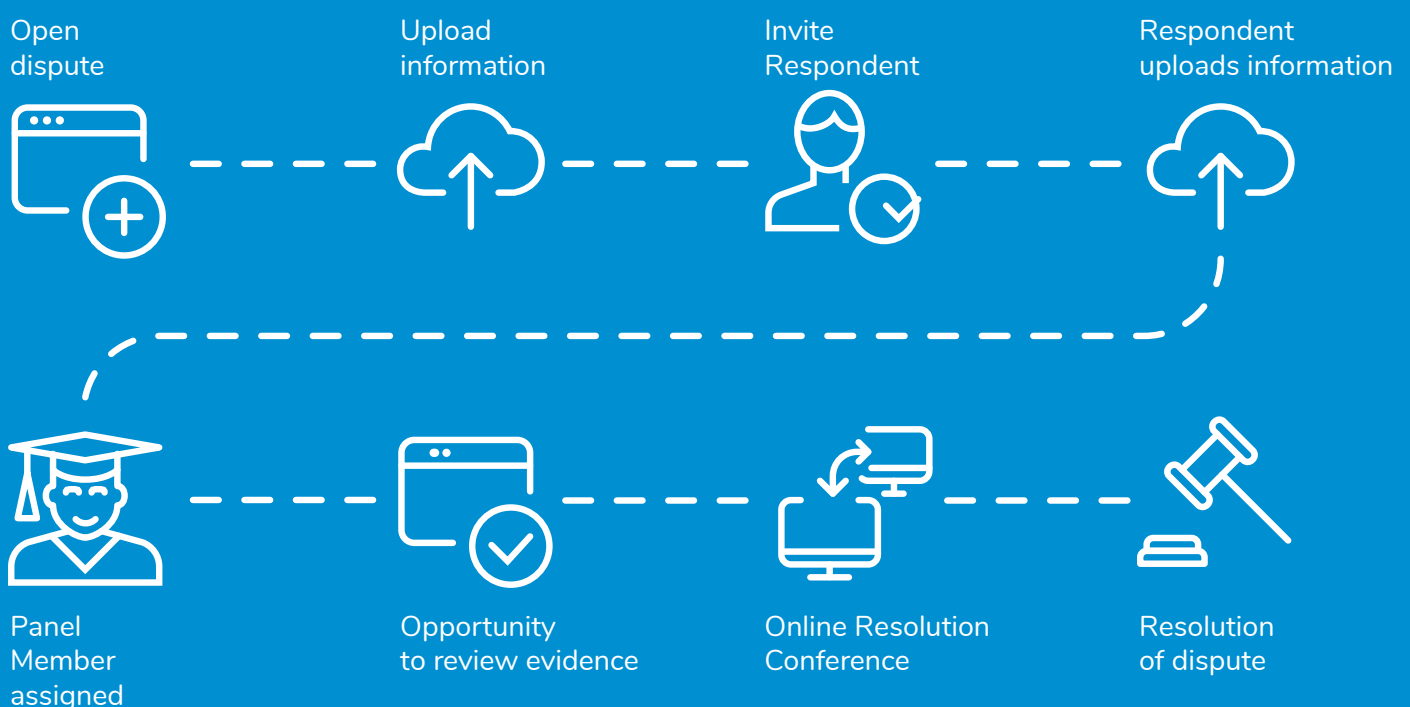
Immediation is a highly efficient platform, provisional patent application pending, designed by Immediation's team with over 150 years' combined experience in the legal industry. With easy-to-follow steps, the platform was built by former Google engineers and leading UX designers under the guidance of Immediation's Chief Technology Officer, Martin Wells, who is a Silicon Valley VP of Product and Engineering.

The platform includes streamlined workflows for dispute notification and document exchange. It also includes a new online resolution conference facility, provisional patent application pending, for fast, efficient and amicable negotiation, mediation and hearings.

The Immediation platform enables disputing parties to submit their side of a dispute online and to upload material evidence to support or defend their claim. It uses bespoke workflows to work through disputes in a sensible, logical format without legalese. After the online exchange of information, disputing parties can negotiate on the platform or are matched with an experienced neutral party for facilitated mediation, early-neutral evaluation, binding expert determination or binding international or domestic arbitration.

A customised video-conference tool is used to mimic a physical mediation centre. The mediator controls proceedings, enabling parties to convene in plenary session or in caucus with their lawyer. During the online conference, parties can text-chat privately or publicly and view information uploaded to the platform. On screen, the parties can work together on their settlement terms, which are instantly converted into a settlement agreement for e-signing via DocuSign.

In determinative dispute resolution, the online conference facility can be used for a hearing, with functionality to accommodate witnesses.



Immediation's first commercial service stream is for mediation, recognising the importance of facilitated negotiation in resolving the majority of disputes.

Shortly, Immediation will offer an additional 6 streams.

Each stream escalates in seriousness depending on the value and risk of the dispute and the needs of the parties:

Automated Negotiation Tool

An automated negotiation tool which helps parties to settle low value and low risk matters swiftly and without any need to interact by phone, video or face-to-face.

Negotiation

The parties may negotiate directly with or without lawyers, using the full functionality of the platform including the settlement agreement. No Immediation Panel member is involved.

Mediation

An experienced mediator or subject matter expert will conduct an online mediation, with the aim of facilitating entry into a settlement agreement. Our mediation service has been designed so that it can be used either independently of, or in conjunction with, legal proceedings.

Evaluation

An online non-binding early evaluation of a dispute by a subject matter expert.

Determination

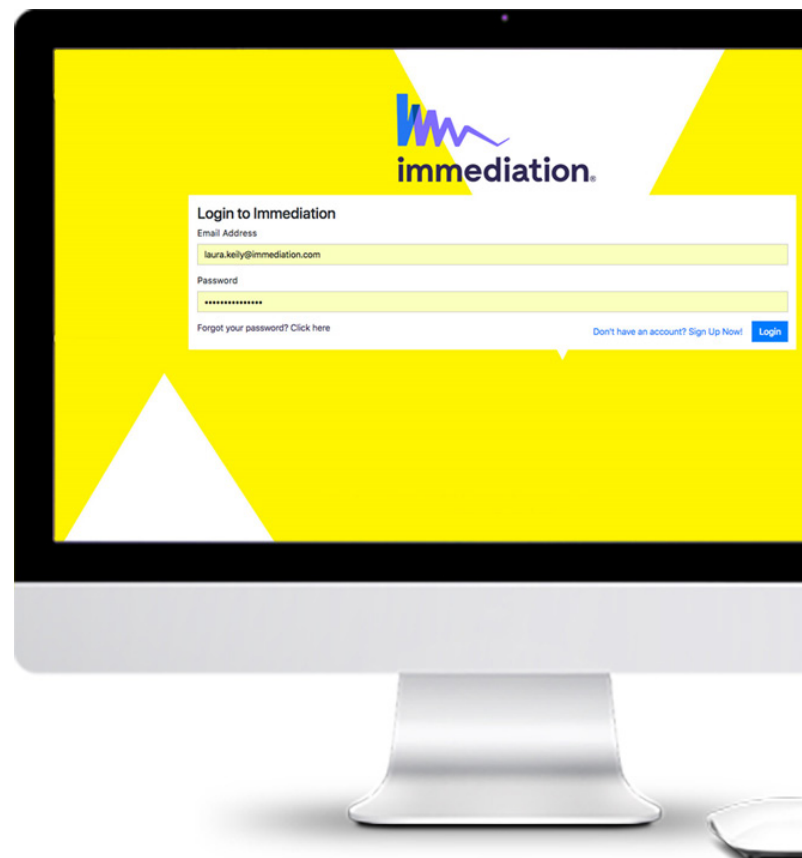
An online expert determination of a legal dispute or a specific issue by a subject matter expert which is made binding by contract.

Review Panel

The parties can agree in advance to have the Determination reviewed by a panel of three experts.

Arbitration

An online arbitration conducted by a qualified arbitrator in accordance with relevant arbitral rules to produce an arbitral award, either domestic or international.



The Immediation Expert Panel

Immediation's unique Expert Panel provides direct access to the right independent neutral for your dispute, including senior retired judges and Senior Counsel.

You can have confidence that the Immediation Expert Panel contains only appropriately qualified individuals to assist as independent neutrals and that we will accommodate your preference, or if no preference is expressed, nominate the right neutral for your dispute.

You will always be asked to approve a suggested neutral, if the parties have not pre-agreed their choice.

Our Expert Panel members include former justices, Tribunal members, QCs/SCs, leading barristers, arbitrators and mediators, and leading lawyers from top-tier international, national and boutique specialist firms. The Panel includes subject specialists in areas such as property, employment, commercial, intellectual property, insolvency and litigation. Going beyond law, many of our experts have technical expertise in areas as construction, engineering, valuation, tax and telecommunications.

The Hon. John Gilmour QC

Former Justice of the Federal Court of Australia
Barrister, Arbitrator, Mediator and Expert, Quayside Chambers

The Hon. Wayne Martin AC QC

Former Chief Justice of Western Australia Arbitrator and Mediator, Francis Burt Chambers

Carmel McLure AC QC

Former President of the Court of Appeal Division of the Supreme Court of Western Australia, Arbitrator and Mediator

The Hon. Neville Owen AO

Former Justice of the Court of Appeal Division of the Supreme Court of Western Australia, Mediator

The Hon. Marilyn Warren AC QC

Former Chief Justice of Victoria Arbitrator, Dever's List

William Abbott, Consultant, HWL Ebsworth

Ben Allen, Partner, Dentons

Logan Armstrong, Principal, Logan Armstrong Lawyers

Philip Argy, Arbitrator, Mediator and Expert, ArgyStar

Dr Bruce Atkinson, Mediator, Expert and Consulting Engineer, Basacon Services

Kate Austin, Partner, Allens

Marianne Barker, Barrister and Mediator, Owen Dixon Chambers West

Bryan Belling, Partner, K&L Gates

Venetia Bennett, Special Counsel, K&L Gates

Paul Betros, Partner, HopgoodGanim Lawyers

The Hon. Neil Brown QC

Barrister, Arbitrator and Mediator, Owen Dixon Chambers West

John Campbell, Mediator, Mediation Matters

Dr Donald Charrett, Barrister, Arbitrator, Mediator and Expert, Expert Determination Chambers

Richard Cheney SC, Barrister, Arbitrator and Mediator, Greenway Chambers

Tim Connard, Barrister and Mediator, Victorian Bar

Christien Corns, Partner, K&L Gates

Jason Cornwall-Jones, Partner, Ashurst

Paul Cutler, Barrister, Arbitrator and Mediator, Edmund Barton Chambers

Nicole Davidson, Mediator, Growing Beyond

Celia Davies, Director, Celia Davies Pty Ltd

Emily Dewberry, Mediator, Dewberry Mediation

Ross Drinnan, Partner, Allens

Frances Drummond, Partner, Norton Rose Fulbright

Erin Eckhoff, Senior Associate, King & Wood Mallesons

Scott Ellis, Barrister, Arbitrator and Mediator, Francis Burt Chambers

Jonathan Feder, Partner, K&L Gates

Brian Finn AO, Mediator, John Jarndyce's List

Paul Finn, Mediator, John Jarndyce's List

Richard Gardiner, Partner, HopgoodGanim Lawyers

Rob Goldstein, Mediator, Rob Goldstein Mediation

Scott Goodman SC, Barrister and Mediator, Greenway Chambers

Joanna Green, Principal, Hive Legal

Phillip Greenham, Arbitrator, JBM Advisory Pty Ltd

Nina Harding, Mediator, Nina Harding Mediation Services

Emma Heuston, Principal, The Remote Expert

Emma Hodgman, Partner, Dentons

Danielle Huntersmith, Barrister and Mediator, Victorian Bar

Michael Hyde, Mediator, Mediation Specialists Group

Sophie Inwood, Partner, Quinert Rodda & Associates

Louise Jenkins, Partner, Allens

Caroline Kenny QC, Barrister, Arbitrator and Mediator, Owen Dixon Chambers West

Alan Limbury, Mediator and Arbitrator, Strategic Resolution

Daisy Mallett, Partner, King & Wood Mallesons

Geoffrey Mann, Partner, Ashurst

Andrea Martignoni, Partner, Allens

Mark Mathews, Legal Practitioner Director and Chartered Tax Advisor, Mathews Tax Lawyers

Louise Mathias, Barrister and Mediator, Elizabeth Street Chambers

Melissa McGrath, Partner, Mills Oakley

Robert McKenzie, Partner, Blackwall Legal

Fiona McLay, Special Counsel, Rankin Business Lawyers

Peter Megens, Arbitrator, Outlook Legal Consulting Pty Ltd

Albert Monichino QC, Barrister, Arbitrator and Mediator, List A Barristers

Dr Rob Nicholls, Mediator and Independent Telecommunications Adjudicator, UNSW Sydney

Bridie Nolan, Barrister and Arbitrator, 12 Wentworth Selbourne Chambers

Kim O'Connell, Partner, King & Wood Mallesons

Philip Pan, Partner, King & Wood Mallesons

Sonya Parsons, Partner, Thomson Geer

Chris Pitts, Mediator, Bridge Mediation

Dr Vicky Priskich, Barrister and Arbitrator, Owen Dixon Chambers West

Susan Proctor, Legal Director, Proctor Legal

Donna Ross, Arbitrator and Mediator, Donna Ross Dispute Resolution

Nick Ruskin, Partner, K&L Gates

Paul Santamaria QC, Barrister, Arbitrator and Mediator, Aickin Chambers

Martin Scott QC, Barrister, Arbitrator and Mediator, Owen Dixon Chambers West

B.A. (Toby) Shnookal QC, Arbitrator, Expert and Mediator, Expert Determination Chambers

Michael Schoenberg, Mediator

Dov Silberman, Arbitrator and Mediator

Veronica Siow, Partner, Allens

Thomas Somers, Barrister, Queensland Bar

Carolyn Sparke QC, Barrister and Mediator, Owen Dixon Chambers West

Vasantha Stesin, Principal, Mediator and Arbitrator, Stesin Legal

Catherine Symons, Barrister, Castan Chambers

Mark Tedeschi AM QC

Barrister and Mediator, Wardell Chambers

Deborah Templeman, Principal and Mediator, Gilchrist Connell

Russell Thirgood, Partner and Arbitrator, McCullough Robertson Lawyers

Tony Troiani, Partner, King & Wood Mallesons

Sally Tuckfield, Partner, Dentons

Kingsley (Jock) Vincent, Mediator and Arbitrator

Peter Voss, Partner, Ashurst

Freda Wigan, Partner, HopgoodGanim Lawyers

Dr Rebecca Wilson (nee French), Mediator, French DR Mediation Services

Ian Wylie, Special Counsel, William Roberts Lawyers

Why is Immediation right for you? Flexible Resolution Solutions

Use of Immediation for pre-trial mediation Flexible and adaptable

The standard mediation platform can be used where no proceedings have been instituted and is designed to avoid pleadings, promoting interest-based negotiation.

We understand that sometimes it is not possible to avoid proceedings being issued. Immediation's platform can still be useful as a fast and effective mediation tool for a fixed price and in a fixed timeframe.

Immediation will present a customised workflow for pre-trial mediation where proceedings have been instituted. Sometimes it is very unlikely that the matter will resolve even though the parties have been sent back to mediation. The myriad benefits of using Immediation for pre-trial mediation in this instance include:

- speed;
- reduction in cost and travel time;
- access to the Panel of expert mediators in a definite timeframe;
- the ability to narrow the issues in dispute;
- the ability to more accurately predict the settlement range and make a Calderbank offer.

As the Immediation team has significant domain expertise, we understand how businesses interact with their lawyers and with independent neutrals throughout a resolution process, and how different representatives of an organisation are involved throughout the lifetime of a dispute. We believe that being in a fast online environment does not mean a compromise on flexibility.

The Immediation platform has been designed to flex to the needs of businesses as they move through a dispute. For example, the executive who receives the dispute notification can pass it to their lawyer to deal with. A lawyer can be in the drivers' seat, with the client having oversight, or vice versa.

In some cases, clients may feel comfortable to drive all or part of the process on their own. Clients can invite various parties, be they a lawyer, insurer or other representative, to participate. Different levels of access and functionality have been built in to accommodate witnesses, legal representatives and other participants in a mediation or hearing. Drafting and signing power can be allocated to different corporate representatives.

Nothing has been left to chance.

What if I prefer physical mediation or arbitration?

We are convinced that once you've used the platform, you'll be a convert, like our pilot clients. The video resolution in our conference facility is very high, enabling you to read body language and expression in the normal way.

Our platform has been designed to enable you to have private conversations between client and lawyer teams, so there is no need to be physically co-located with them.

But we understand that in some cases you might like to be present in the same location. If required, a physical mediation or hearing can be arranged to complement the Immediation platform.

The platform can still be used as a tool to assist with the mediation itself, particularly the drafting and signing of the settlement agreements, even if you are co-located.

Why is Immediation right for you?

Immediation for construction companies

The Immediation team understands that construction companies seek commercial options to resolve commercial disputes in a swift, cost-effective and risk-aware manner. This presents a challenge for construction companies in a market with increasing cost pressure, volatility and risk, which naturally gives rise to a higher volume of issues.

This challenge is also an opportunity for innovation.

Why Immediation for construction companies?

Immediation has been vetted by the Federal Government, receiving an AusIndustry 'Accelerating Commercialisation Grant' in 2019.

The Immediation team understands that managing disputes and particularly litigation uses precious funds and resources and slows down project outcomes. We want to help construction companies resolve disputes in the most efficient way possible, at your desk and in your own time.

Immediation can assist construction companies to shepherd through disputes without engaging in adversarial process, enabling the better management of relationships with key stakeholders and contracting parties.

Using Immediation, appointment of the independent neutral doesn't become a dispute in itself. Immediation enables construction companies to expand the list of potential independent neutrals in each case, opening up extensive possibilities including those neutrals interstate, for the same fixed fee, without having to do any behind-the-scenes administration.

Immediation in construction and significant projects

The Immediation team has significant experience in construction and project work, as well as litigation. We understand that when a dispute arises in a key project contract that is ongoing, construction companies require access to fast, impartial dispute resolution techniques designed to keep the parties out of court. Ideally the specified mechanism would give you certainty as to cost, timeframe and process.

Immediation achieves certainty in a new way.

Immediation's timeframes are fixed

We ensure that the matter is brought to mediation or hearing in a short timeframe, which can be less than 30 days for mediations and between 30 to 60 days for expert determination or arbitration matters. In certain cases, even expert determination or arbitration could be more quickly expedited.

Immediation's costs are fixed

Costs for the dispute resolution service are linked to the value of the dispute, including the neutral and the platform. Where no dispute value can be identified, we can pre-agree rates for services such as expert determination of whether practical completion has occurred.

Immediation has access to 90 Expert Panel members

Our Expert Panel has many specialists qualified to mediate, determine or arbitrate construction and project matters. Where further or different neutrals are required, Immediation can source these enabling construction companies to maintain impartiality.

Immediation's online process streamlines matters

This avoids the need for external counsel correspondence and delay. In particular the online negotiation, mediation and hearing tool can accommodate multiple parties, legally represented, in a fast and effective manner. If required, physical mediation or hearing can be arranged to complement the Immediation platform.

Immediation is easy to understand and is not legalistic

Project managers can use the platform together with lawyers in a way never before known in the market, so that project managers can do the heavy lifting allowing lawyers or managers oversight or vice versa.

Why is Immediation right for you?

Immediation for construction companies

Immediation in project and construction contracts

To create certainty, Immediation can work with construction companies to create standard clauses to embed Immediation as a dispute resolution mechanism in your project contracts. That way, when a dispute arises, the parties have access to a fixed fee, fixed timeframe process incorporated into your contracts that can assist in the early amicable resolution of the dispute.

The first step could be negotiation, which enables parties to resolve the matter themselves using the full functionality of the Immediation platform.

If mediation is required, we can appoint one or more mediators on an ongoing basis, to assist you to resolve and intercept potential disputes amicably as and when they arise. Alternatively, we can provide senior mediators on a case-by-case basis to deal with matters of escalated severity. Expert determination and arbitration can also be mandated for particular types of disputes.

We can provide you with a suite of clauses, including cascading options for different services, and preferred pricing.

“I found Immediation’s Platform to be intuitive and high quality. I would recommend it as an extremely efficient and cost-effective dispute resolution mechanism compared to a face-to-face mediation.”

Justin Coss

Former AUB Group Ltd General Counsel
National Board Association of Corporate Counsel

“Immediation is awesome. It’s an innovative and practical dispute resolution Platform which provides effective, quick and professional services to resolve a matter online.

A game changer!”

Theo Kapodistrias

University of Tasmania
Lawyer

“Immediation is a useful and innovative way to resolve disputes - it strikes the right balance between the impersonality of a teleconference and the stress of a formal hearing.”

Corban Hicks

Former Mission Australia Employee Relations
Business Partner

“Immediation is a rare and welcome innovation – an externally focussed Platform to assist in achieving a key business outcome: the effective resolution of disputes. The Platform is easy to use and supports the parties to drill down into the key issues and resolve them promptly and efficiently.”

Michael Tropea

General Counsel
AIA Australia Insurance

“Immediation is a highly professional and cost-effective service that provides a very accessible resolution mechanism for appropriate cases.”

Trudy Steedman

Chief Counsel
Rio Tinto

The Immediation Team is a group of highly experienced, established professionals with a diverse range of skills.



Laura Keily
**Founder &
Managing Director**

BSc, LLB (Hons), MCommLaw, GAICD

Laura leads the overall Immediation strategy, including market and product development. Laura's superpower is pulling together and executing deals, whether navigating commercial transactions or harmonising disputing parties. A global thought leader in revolutionising dispute resolution, Laura is a commercial barrister and an entrepreneur with a blue chip legal and business background as a top-tier corporate lawyer, company director, business adviser and in-house counsel for listed corporates. Her mergers and acquisitions experience includes 13 years in the top tier, at Blake Dawson Waldron and Corrs Chambers Westgarth in Melbourne, and Slaughter and May in London. A specialist in corporations law and governance and complex commercial litigation, Laura's technical expertise is recognised in her appointment to the Law Council of Australia's Corporations and Competition and Consumer Law Committees.



Claire Bibby
COO & General Counsel

BCom, LLB (Hons), PRIMed, ProfCertArb, FIML, GAICD

Claire leads Immediation's internal operations, including management of the Immediation Panel and Platform. Claire's superpower is creating order out of chaos and making it look easy. An experienced Senior Vice-President and General Counsel, Claire has 25+ years' experience practising law from within ASX, multi-nationals and private enterprises. Her experience spans complex deal structuring, contract negotiations, litigation and disputes, property and financial services, banking and finance, funds management, corporate governance, M&A, intellectual property, industrial relations, risk management and insurance. Claire's name has graced many domestic awards as one of Australia's best lawyers and top female executives, including the "Excellence Award for Women in Law" and "General Counsel of the Year." She has also built an award winning legal team, having won 2016 Australian In-House Legal Team of the Year and 2017 Construction & Real Estate Team of the Year.



Nick Northcott
**Executive Director,
Commercial**

BSc, BCom, MBA, GAICD

Nick leads Immediation's corporate, organisational and business development activities, including marketing, sales, finance and HR. Nick's superpower is putting the pieces of the puzzle together to create something special. An all-round 'fixer', Nick is an experienced management consultant and executive with over 15 years' experience including as an Executive Chairman, COO and HR Director with experience in large listed companies, government, private high growth ventures, not for profits and SMEs. His expertise includes strategic growth and transformation, operational excellence, organisational development, workplace investigations & mediation, IP commercialisation, corporate finance and M&A. Nick was part of the team supporting KPMG UK to be the 'Best Big Firm to work for' three years in a row and has raised over \$50 million in corporate, venture, grant and philanthropic funding.



Martin Wells
CTO

AD Comp Sci, BSc Management

Martin Wells is Immediation's Chief Technology Officer. Marty's superpower is understanding all the elements of building a globally scalable start-up. A highly experienced Silicon Valley VP of Engineering and Product and CEO with deep technical and commercialisation expertise, Martin is an expert in both infrastructure and systems architecture as well as software development. Martin has advised more than 30 companies, raising over \$200 million in venture capital funding and assisting in 10 acquisitions. Martin has founded and exited three start-ups, including as Founder of Intercom, one of Australia's first internet service providers. His extensive experience includes as a CTO, VP Product, VP Engineering and Entrepreneur/ Founder focused on building and growing digital products and services.



immediation®

Connect with us

1300 019 993
immediation.com

Laura Keily
0437 773 522
laura.keily@immediation.com

Nick Northcott
0417 610 557
nick.northcott@immediation.com

Chifley Tower
Suite 1904, Level 19
2 Chifley Square
Sydney, NSW, 2000

Simple, impartial and fast.
Access to justice, online.