

54 Subsection (1)(a)(i) is still pending.

* * * *Some lines not shown* * * *

**(3) All parties to a claim may stipulate to submit the claim to arbitration under this chapter.
If the claim is submitted to arbitration, the parties may not claim:
(a) a right of rescission under Section 78B-10a-104; or
(b) the right to a trial de novo under Section 78B-10a-108.**

2. *Page 3, Lines 64 through 66:*

64 78B-10a-104. Rescission -- Discovery.
65 (1) (a) A ~~{-person}~~ claimant who has elected arbitration in accordance with
this chapter may
66 rescind the election if the rescission is made within:

3. *Page 5, Line 151 through Page 6, Line 153:*

151 (3) (a) If a defendant, as the moving party in a trial de novo requested in accordance
152 with Subsection 78B-10a-107(2), does not obtain a verdict that is at least
{-35%} 30% less than the
153 arbitration award, the defendant is responsible for all of the nonmoving party's costs.

Respectfully,

Mark B. Madsen
Committee Chair

Voting: 5-0-1

3 SB0052.SC1.WPD /JDH ECM/JDH 2/10/11 10:22 am

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Action Class



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