

(12) A certification that two way communication has occurred between persons having authority in a good faith effort to explore the resolution of the controversy by settlement.

Defendant's Statement

Plaintiff's initial demand to the EEOC was never communicated by the EEOC to Defendants. When Plaintiff forwarded her \$625,000.00 demand to Defendants after the EEOC had dismissed her charge, Defendants viewed her demand as unrealistic because it did not make an appropriate assessment of her case, as it did not take into consideration any weaknesses of her case. Unfortunately, the parties were not able to have the case mediated before the Magistrate which may have been helpful in resolving this matter. Plaintiff's latest demand of \$325,000.00 is still unrealistic and fails to take into consideration the weaknesses of her case. While Defendants have always been open to negotiating, Defendants have been at a disadvantage because Plaintiff has not provided Defendants with a settlement figure that realistically takes into account all aspects of her case.