National Franchise Mediation Program

Steering Committee Meeting
April 8, 2000


Absent: Don Hachenberger, Michael W. Haley, Donald Hazlett

Also Attending: John F. Dienelt, Kenneth S. Kaplan, F. Peter Phillips, Neil Simon

The Steering Committee met at the offices of Cendant Corporation, 9 West 57th Street, New York City, at 9:00 a.m. E.D.T.

Mr. Wolf confirmed that, at its October meeting, the ABA Forum on Franchise will focus a plenary (breakfast or lunch) session on the NFMP. Panelists will likely include Mr. Wolf, Eric Green and Nancy G. Gourley (Director of the Forum's Litigation and Alternative Dispute Division). Mr. Wolf also reported that the current Chair of the ABA Franchise Forum was receptive to the Chair's serving on the NFMP Steering Committee ex officio. The Committee agreed to invite both the Chair and the Director of the Forum's Litigation and Alternative Dispute Division, and encourage them to decide which should accept the invitation.

The Committee heard reports from various members on potential invitees to the Steering Committee that had been identified at the January and February meetings, as follows:

-- Mr. Dixon has approached Ace Hardware and ServiceMaster Company. Both are interested in the Program, but neither has affirmatively committed. The effort with ServiceMaster has been shifted to its Memphis office. Mr. Dixon continues to monitors the status of these overtures.

-- Mr. Wolf has been unsuccessful in approaches to Tandy Corporation and Allied Domecq PLC. However, AFC Enterprises has expressed interest in joining the Steering Committee (It is already a participant in the Program).

-- Mr. Aronson advised that Starwood Hotels was not adverse but reports few disputes and therefore little prospective activity.
-- Mr. Rosen has approached designated franchisees associated with Hardees, Meineke and GNC, each of whom has expressed interest in joining the work of the Committee. The Board also discussed asking the International Franchise Association to make suggestions of potential franchisee nominees. It considered but rejected an approach to certain other franchisee organizations. Mr. Aronson will approach Holiday Inn franchisees to determine interest.

- Mr. Hazlett reported that Chris Campbell, General Counsel of Tricon, was very supportive of the philosophy of the Program, and is expected personally to attend the next Meeting if invited to join the Committee.

The Committee briefly discussed how to frame these invitations. Mr. Rosen noted that the Committee would want to avoid inviting someone to attend the June 8 meeting, but then not invite them to join. With the exception of Tricon (whom Mr. Hazlett has expressly invited to join), all others would be asked to participate at the next meeting, so that they can get to know the Program better and determine how they might be interested in being of assistance to it.

Mr. Phillips will supply Mr. Dixon with materials about the Program that he can include in invitations that he (as Chair) may extend. CPR will also supply such materials to other Committee members, or perform such administrative tasks as it is asked to assume.

Mr. Wolf confirmed that the next meeting would be held at Cendant's offices at 9 West 57th Street, New York, New York, from 9:00 a.m. to Noon, Thursday June 8. Breakfast will be served.

The meeting adjourned at 3:45 p.m.