

PFEIFFER LAW

X. WAIVER OF CLAIMS

Waiver of Claims

Essentially, the parties may not bring suit against IFTA, the Arbitral Tribunal, officers, employees, directors, and agents of each of the foregoing, nor against the Arbitral Agent or the Arbitrator utilized under these Rules in connection with arbitrations brought or responded to under these Rules. (IFTA Rule 15.1). This waiver is subject to any applicable provisions of the law. (IFTA Rule 15.1).

Notable Exceptions

This section does not waive a good faith claim against the Arbitrator alleging that the Arbitrator 1) failed to promptly disclose any known conflict of interest, or 2) acted in bad faith in making an Award under these Rules. (IFTA Rule 15.1).

Arbitrator Immunity

Aside from a claim based on bad faith or the existence of an undisclosed conflict of interest, the Arbitrator shall have the immunity of a judicial officer from civil liability when acting in the capacity of Arbitrator. (IFTA Rule 15.2). This immunity supplements, and does not supplant, any otherwise applicable common law or statutory immunity. (IFTA Rule 15.2).