

VI. INTERIM MEASURES OF PROTECTION

What the Arbitrator May Not Do

The arbitration of all issues including determination of the amount of any damages suffered shall be to the exclusion of any court of law. (IFTA Rule 10.1). However, the arbitrator shall not: 1) prevent any party from seeking interim equitable relief; 2) prevent any party from enjoining any other party brought by or against a third party with respect to the subject matter of the arbitration; 3) prevent any party from filing legal action to effectuate any attachment or garnishment providing that party stipulates to arbitration on the merits of the case; nor 4) prevent a party from filing legal action to compel arbitration. (IFTA Rule 10.1).

Interim Measures of Protection

The arbitrator may make interim awards and orders where necessary to safeguard the subject matter of the arbitration or effectuate the proceedings, including provisional remedies and temporary injunctive relief/specific performance. (IFTA Rule 10.2). The Arbitrator may also require deposits or security for costs in connection with such measures. (IFTA Rule 10.2). Any interim award issued by the arbitrator shall be entitled to the same power of enforcement as a final arbitration award to the extent provided by law. (IFTA Rule 10.2).