

SHIPP | ADR

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FEE SCHEDULE

MEDIATION:

| Amount in Controversy | Fee (per day/per party) |
|------------------------------|------------------------------------|
| Up to \$1,000,000 | \$3,750 |
| \$1,000,000 to \$5,000,000 | \$4,500 |
| \$5,000,000 to \$10,000,000 | \$5,250 |
| over \$10,000,000 | \$6,000 or TBD |

The amount in controversy is the aggregate of all claims for affirmative relief by claim and counterclaim, and this amount may be reduced if subsequent settlement demands have reduced the amount genuinely in dispute.

In special circumstances, such as non-monetary requests for injunctive or declaratory relief, and complex matters where a substantial amount of additional preparation or follow-up work may be required, we will set the mediation fee and any additional fees as may be appropriate after a discussion with counsel.

A typical full-day mediation is 8 hours, usually begins at 9:30 a.m., includes a working lunch, and continues until completed. While most sessions conclude by about 5:30 p.m., some mediations may extend past the allotted time.

We do not charge a separate administration fee. The Mediation Fee listed above includes scheduling and administering of the mediation session, all preparation time, all pre-mediation meetings and phone calls, the mediation session itself, refreshments, a working lunch for full-day mediations, and follow-up telephone calls and conferences where appropriate.

Half-day: *We do not conduct half-day mediations as they are ineffective for the types of cases we mediate.*

If mediation extends past the allotted time, we will charge an hourly rate of \$800.00 split evenly among the parties.

Payment of all fees should be made no later than seven (7) business days before commencement of the session. The mediator reserves the right to cancel the mediation if the requisite mediation fees are not timely paid.

All parties represented by the same attorney or firm are considered a single “party,” for purposes of the mediation fee. In the event one or more parties and their attorneys are aligned such that they do not require a separate room at any time during the mediation, they will also be considered one “party” for purposes of the mediation fee. *If separate rooms are required, a separate fee will be charged for each room.*

We are willing to travel as necessary to conduct mediation. We are also willing to mediate on weekends as an accommodation to the parties when requested. Additional fees may be proposed based on the individual circumstances of each matter.

Cancellation/Rescheduling. A cancellation or rescheduling fee is charged only if mediation is cancelled or rescheduled within seven (7) business days prior to the scheduled mediation. A cancellation fee equal to one party’s mediation fee will be charged to the party or parties cancelling. In the case of more than one party cancelling, the parties cancelling will pay the cancellation fee on a pro-rata basis.

At the mediator’s sole discretion, and in appropriate circumstances, such as when we are able to schedule another mediation during the allotted time, or cancellation is caused by matters beyond the control of the parties, such as weather or sickness, we may waive the cancellation fee.

ARBITRATION:

The arbitration rate is \$700.00 per hour for the hearing and all pre-hearing and post-hearing activities including study and travel time. Unless otherwise agreed, these fees will be split-evenly among the parties. These fees do not include fees due to any third-party arbitration provider. We require an advance deposit based on the anticipated time required for the hearing and all pre-hearing and post-hearing activities.

Cancellation. Unless otherwise agreed, any deposit amounts in excess of fees already earned will be returned if a matter is cancelled more than fourteen (14) days prior to the hearing date. If a hearing scheduled for three days or less is cancelled or postponed within 14 days of its start date, we will charge a cancellation fee of \$3,500.00 per cancelled day. Other arrangements will be necessary in those cases where more than three (3) days are reserved for the hearing.