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FEES FOR MEDIATION SERVICES

General. The Mediation Fee is set on a case-by-case basis and covers the cost of one full day mediation session, in person or by video conference, a working lunch if the mediation is in person, pre-mediation preparation time, and reasonable telephone, video, or in person conferences with counsel and/or the parties before and, if necessary, after the mediation session. *I do not surcharge for additional time incurred after normal business hours on the day of the mediation – the quoted fee is “all in” for my time on the day of mediation.* If an additional mediation session is scheduled there will be an additional mediation fee.

Amount of Mediation Fee. The amount of the Mediation Fee is determined by (a) the amount(s) in controversy, which is the aggregate amount of all claims for affirmative relief by claim, counterclaim, or demand; (b) the nature of the action, the complexity of the legal and factual issues, and any special circumstances or dynamics; and (c) the number of “sides” – counting each party or parties represented by the same firm or lawyers as one “side” and parties represented by different firms or lawyers as a separate side.

BASE FEE GUIDELINES FOR EACH DAILY MEDIATION SESSION

Per Side

Amount in Controversy	<i>Fee Per Day Per Side</i>
Up to \$1,000,000	\$ 4,500 per side*
\$1,000,000 - \$5,000,000	\$ 5,750 per side*
\$5,000,000 - \$10,000,000	\$ 7,000 per side*
Over \$10,000,000/significant non-monetary issues	Determined on a case-by-case basis*
*When over \$10,000,000 is in controversy or there are substantial non-monetary issues (injunctive, equitable or declaratory relief, etc.) or other relevant circumstances, such as extensive pre-mediation preparation or post-mediation activities, etc., the mediation fee is determined on a case-by-case basis. The Mediation Fee may also be adjusted/reallocated based on other mediation dynamics.	

Out of Town and Weekend Mediations. The fee for out-of-town mediations is the applicable daily rate and one additional day’s charge for travel/overnight time, plus estimated travel or other costs, which are included in the quoted mediation fee. Weekend mediations typically entail a supplemental charge to the above fees.

Cancellation Fee Policy. Counsel should provide as much advance notice as possible of the need to cancel or reschedule the mediation to allow the date to be timely made available to others and optimize the chances of rebooking the date. There are no cancellation fees for mediations cancelled 10 or more business days in advance of the mediation date. In the event of a cancellation on less than 10 business days’ notice, a cancellation fee in the amount of 50% of the total mediation fee may apply. I am reluctant in the extreme to apply a cancellation fee, especially if due to circumstances beyond the parties’ control or other good cause. My practice is to discuss with counsel whether any such fee is fair and appropriate under the circumstances.

Payment. Payment in full is due upon the scheduling of the mediation and no later than five (5) business days prior to the mediation session. Mediation fee payments shall be made by cashier's check, wire transfer, or check issued by a law firm, business entity, or insurance company and made payable to Christopher Nolland, Attorney-Mediator. We do not accept credit cards.