

CARR & VENNER ADR*

*Fred Carr and Charlotte M. Venner are individual, sole mediation practitioners, and are not a partnership or other form of legal association.

FEE SCHEDULE

PAYMENT OF FEES AND COST SHARING	Each party participating in a mediation will share pro-rata in all administrative and mediation fees, unless otherwise agreed by the parties and made known in writing to your mediator. Your mediator will assume that the parties listed in your confirming letter are all of the parties participating in the mediation. Where one counsel represents more than one client, your mediator will consider that a single party for purposes of this pro-rata responsibility for fees only. The respective law firms representing the parties are directly responsible for their client's share of the mediation fees. By agreeing to schedule a mediation session, the parties and their counsel agree to the terms of this Fee Schedule and that any balance due after a scheduled session will be paid within 30 days of the date of the Invoice, regardless of whether or not the case settled.
ADMINISTRATIVE FEE	The \$250 Administrative Fee covers the contact with the parties or their counsel for setting a mediation session. It also includes the time incurred in scheduling and confirming the terms of the mediation session in writing to the parties, and any court ADR program reporting required of the mediator. This fee is charged for <u>each</u> session scheduled for mediation.
MEDIATION SESSION FEES	The hourly rate for mediation services is \$425 per hour. There is a four and one-half hour minimum for all mediation sessions, exclusive of time necessary to read pre-mediation briefs provided. The Minimum Mediation Session fee is \$1,912.50. Mediation session time beyond this four and one-half hour minimum is also billed at \$425 per hour. Additionally, this hourly rate is also charged for any pre-mediation session preparation time, including the time your mediator spends reading and reviewing briefing materials and documents provided by any party and any time after a session adjourns, that is authorized by the parties.
DEPOSIT REQUIRED	A total deposit of \$2,162.50, representing the \$1,912.50 Minimum Mediation Session Fee and the \$250 Administrative Fee, is required to reserve the date for a mediation session. Each party is required to pay their pro-rata share of this \$2,162.50 deposit prior to the mediation, unless the parties otherwise agree to some other split and such agreement is made known in writing to your mediator. If the mediation is canceled more than 14 days before the date reserved for the session, all sums deposited will be returned. <u>See the section below pertaining to forfeiture of the full deposit to cover Late Fees where a session is canceled or rescheduled less than 14 days before a scheduled session.</u>
\$2,162.50 LATE FEE FOR CANCELLATION OR RESCHEDULING 14 DAYS OR LESS BEFORE THE SCHEDULED SESSION	If a mediation session is <u>canceled or rescheduled 14 days</u> , or less, before the date of a scheduled session, \$2,162.50 will be charged to the canceling party as a LATE FEE . The deposits received from the respective parties will be applied towards their pro-rata share of such Late Fees, <u>unless it is made known in writing via facsimile or e-mail to all parties and to your mediator that all of the parties have agreed to divide the Late Fees another way. Any unpaid balance on the Cancellation or Rescheduling Fee is due within ten days of the date of the canceled or rescheduled session. In the case of a late rescheduling, where a party's deposit is applied to the Late Fee, the responsible party(s) must submit a second deposit to reserve a further date for mediation.</u> If your mediator is able to promptly schedule a different mediation on the day of the canceled or rescheduled session, the Late Fee will not be charged. <u>Any unpaid balance on the Cancellation or Rescheduling Fee is due within ten days of the date of the canceled or rescheduled session.</u>
TRAVEL TIME AND EXPENSES	There is <u>no charge for travel time</u> to and from a mediation session in the San Francisco Bay Area. Fees for travel outside the S.F. Bay Area will be negotiated.

The Tax ID # for your mediator is on the bottom of your deposit invoice. W-9 promptly available.