

## Full-Day Mediation (Subject to “Case-Specific Considerations,” below)

	In-Person, per day <b>Austin</b> or <b>Zoom</b> (every person attends virtually)	In-Person, per day <b>Dallas, Houston</b> or <b>San Antonio</b> <i>Includes day trip travel expenses &amp; time</i>	In-Person, per day <b>Elsewhere in</b> <b>Continental US</b> <i>Includes all travel expenses &amp; time for the travel days</i>	In-Person, per day <b>Outside</b> <b>Continental US</b>
2 parties	\$5,500 / party	\$7,500 / party	\$16,000 / party	Email me for a fixed fee quote based on location, anticipated travel expenses, nature of your dispute and number of parties.
3 parties	\$4,500 / party	\$5,500 / party	\$12,000 / party	
4 parties	\$3,500 / party	\$4,500 / party	\$9,500 / party	
5 parties	\$3,000 / party	\$4,000 / party	\$8,000 / party	
6–10 parties	n/a	\$3,500 / party	\$7,000 / party	
>10 parties	n/a	negotiable		

**What’s included in the Fees.** Subject to “Case-Specific Considerations” below, the above fees are per day and include:

- A true “full day.” If I’m done by midnight (for Austin or Zoom sessions), catch a last flight home (for Dallas, Houston or San Antonio sessions), or get back to a hotel that night (for other sessions), it is covered by the fee.
- Preparation, including pre-session calls with all parties’ counsel.
- All travel expenses and time (including needed travel days and hotel for sessions held outside of Texas).
- Up to 2 hours of any needed follow-up in succeeding days or weeks (thereafter at \$900/ hour divided equally)

**Definition of “Party.”** A “party” is one or more participants represented solely by the same counsel without regard to issue alignment. If the number of parties changes before mediation day, the fee will be adjusted accordingly.

**Basis for the Fees.** The fees reflect the demand for my services as a neutral across the country, the nature of these cases, and the commitment parties are expected to bring to the process.

## Other Fee Considerations and Charges

**Case-Specific Considerations.** A different per-party fee may apply if extended pre- or post-session work is anticipated. If the amount in dispute exceeds US\$10M, I charge an additional \$1,000 per party. For sessions held outside of Texas and planned for two consecutive days, that second day’s fee is 75% of the first day’s. For mediations with anticipated substantial work or sessions over several months, the fee is \$900 per hour plus expenses with a retainer.

**Post-session Supplemental Billing.** Supplemental invoices are rare. But if pre-session work was substantially more than reasonably anticipated, post-session follow-up exceeded 2 hours, or (for Texas sessions) I miss the last flight home that day, I charge \$900 per hour (divided) for the additional time, plus unanticipated expenses.

**Other Possible Charges.** The parties are responsible for charges that may be associated with in-person mediations not held at the office of one of the attorneys—typically use of a conference facility.

**Half-day Mediations:** I do not do half-day sessions unless they are a follow-up to a previous full-day mediation.

## Payment, Cancellation and Other Policies

**Payment Terms and Guarantee.** Unless otherwise stated on the invoice, payment must be received 10 business days before the mediation. If fees are not timely received from all parties, the session is subject to cancellation. Any additional charges are billed after the session and due upon receipt. Fees are earned upon receipt in consideration of reserving the date, declining other matters, and performing pre-session work as a neutral, and are subject only to the Cancellation Policy. All fees and charges are guaranteed jointly by each party and by that party’s counsel.

**Cancellation Policy.** Although fees are earned upon receipt, if a mediation session is canceled more than 20 business days before the first scheduled mediation day, no cancellation fee applies and fees paid will be refunded. If a session is canceled less than 20 but at least 10 business days before the first scheduled mediation day, a cancellation fee of 50% of the total billed fees applies, and remaining amounts paid will be refunded. If a session is canceled less than 10 business days before the first scheduled mediation day, no refund will be made.

**Acceptance of These Terms.** Participation in the mediation, including by any pre-session substantive or administrative communication with me, submission of a mediation statement, or mediation attendance constitutes agreement to these terms and to the terms of the confirmation email and the *Mediation Details* document incorporated therein.