

## Full-Day Mediation (subject to Case-Specific Considerations, below)

	Zoom <small>(all participants attend virtually)</small>	In-Person Austin, Dallas, Houston or San Antonio <small><i>Includes all travel expenses &amp; time</i></small>	In-Person Elsewhere in Continental USA or Canada <small><i>Includes all travel expenses &amp; time</i></small>	In-Person Outside Continental USA or Canada
2 parties	\$4,000 / party	\$5,500 / party	\$13,500 / party	Email me for a fixed fee quote based on location, anticipated travel expenses, nature of your dispute and number of parties.
3 parties	\$3,500 / party	\$4,500 / party	\$9,500 / party	
4 parties	\$3,000 / party	\$4,000 / party	\$8,000 / party	
5 parties	n/a	\$3,500 / party	\$7,000 / party	
6–10 parties	n/a	\$3,000 / party	\$5,900 / party	
>10 parties	n/a	negotiable		

**What's included.** 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 online sessions), catch the last flight home (for other Texas locations), or get back to a hotel that night (for out of state locations), your fee has it covered.
- Preparation, including pre-session calls with all parties’ counsel.
- All travel expenses and travel time, including airfare and, for out of state mediations, two-nights lodging.
- Lunch served on site (except for online mediations)
- Up to 3 hours of any needed follow-up in succeeding days or weeks (thereafter at \$800/ hour divided equally)

**What a “party” is.** A “party” is one or more participants represented solely by the same counsel. Having separate counsel results in being a separate mediation “party” without regard to issue alignment. Also, if the number of parties changes before mediation day, the fee would change with appropriate increase or decrease of the fee.

**What the rates reflect.** The fees reflect the demand for my services 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 preparation or post-session work is anticipated or in particularly complex cases. Where the amount in controversy exceeds US\$10 million, I charge an additional \$1,000 per party above the standard fees. For mediations with sessions and work anticipated to be over several weeks or months, I charge \$800 per hour plus expenses with a retainer.

**Post-session Supplemental Billing.** If pre-session work was substantially more than reasonably anticipated, post-session follow-up exceeded 3 hours, or (for Texas mediations only) I missed that last flight home causing me to return home the next day, I charge \$800 per hour (divided) for the additional time, plus unanticipated expenses.

**Other Possible Charges.** Occasionally, parties will be responsible for charges associated with in-person mediations not held the office of one of the attorneys or outside Austin—typically use of a conference facility. If I need to reserve a conference facility, I anticipate any charges in advance and incorporate it into a slightly revised per party fee.

**Half-day Mediations:** I do not do half-day mediation sessions unless they are part of a follow-up to a previous full-day mediation or part of an extended hourly retention.

## Payment, Cancellation and Other Policies

**Payment Due Date and Guarantee.** Payment must be received ten (10) business days before the mediation payable to Van Osselaer Dispute Resolution PLLC (Tax ID # 46-4228210). If fees are not timely received from all parties, the session is subject to cancellation. Additional charges, if applicable, are billed promptly after the mediation and due upon receipt. All fees and charges are guaranteed by the party and by the party’s counsel.

**Cancellation.** If the mediation is canceled for any reason (including by me for non-payment by any party by the due date), a cancellation fee would be assessed against all parties, who are jointly and severally liable for it. The cancellation fee is 50% of the total fees (plus any non-refundable expenses) if cancellation is on less than fourteen (14) days’ notice, with the total billed fees earned seven (7) days before first scheduled mediation day.

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