

MEDIATION FEES

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

	In-Person, per day Austin or Zoom (every person attends virtually)	In-Person, per day Dallas, Houston or San Antonio <i>Includes day trip travel expenses & time</i>	In-Person, per day Elsewhere in Continental US <i>Includes all travel expenses & time for the travel days</i>	In-Person, per day Outside Continental US
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. 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), your fee has it covered.
- 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)

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 an 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 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 the office of one of the attorneys—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 revised per party fee.

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 Due Date 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. Additional charges, if any, are billed after the session and due upon receipt. All fees and charges are guaranteed by the party and by the party’s counsel and deemed earned on the same schedule as the cancellation fee below.

Cancellation Fee. If a mediation is canceled for any reason less than 15 business days before the first scheduled day, a cancellation fee of 50% of total billed fees (plus non-refundable expenses) is jointly and severally assessed against all parties. If cancellation is less than 10 business days before the first scheduled day, the cancellation fee is 100% of total billed fees.

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.