

# Catalyst Mediation

## Fee Basis: Value Based Mediations

### When to choose this option.

This is the fee structure most clients prefer for an inter-company or organisation dispute involving up to 4 parties. It covers all stages of the mediation and is governed by the value of the dispute, so it is simple to calculate the fee.

### Fee Structure

All fees are agreed in advance, based on the value of the claim or counter claim which ever is higher. Where no claim value is clearly identifiable a firm estimate will be agreed with you before any costs are incurred.

<u>Dispute Value</u>	<u>Pre-Mediation Meeting Per Party Per Hour</u>	<u>8 Hour Mediation Per Party</u>
£10k- £50k	£150	£600
£50-150k	£150	£1,400
£150-300k	£150	£2,000
£300-500k	£150	£2,400
£500-750k	£150	£2,650
£750-£1m	£150	£2,975
£1m +	£150	Negotiable

### What is included?

- organising the mediation, including the venue and any other support;
- a pre-mediation meeting, averaging about 1.5 hours;
- the provision of 2 medias;
- all mediator preparation;
- an eight hour day of mediation;
- post-mediation feedback and follow-up.

### What is not included?

- the costs of an independent venue for the mediation, for example, a hotel;
- any additional hours, for example, if the parties agree to continue the mediation beyond 8 hours; Additional hours will be charged at 1/8<sup>th</sup> of the relevant mediation day rate;
- any agreed travel costs, overnight accommodation and subsistence costs for the mediators;
- VAT will be added to all charges.

### What if there are more than two parties?

- If a third party is involved, all the chargeable costs are increased by 1/3<sup>rd</sup> and the total is divided equally between the three parties, unless they agree otherwise.
- If a fourth party is involved, the total for three parties is increased by ¼ and the total is divided equally between the four parties, unless they agree otherwise.

### Invoicing

There will generally be two invoices issued:

- First invoice - the mediation fee for the mediation day/s booked and all known expenses.
- Second invoice - any additional mediation days, hours of mediation or hours of preparation and expenses not included on the first invoice.

## **Payment**

**The first invoice is payable no later than one week in advance of the mediation as a precondition of the mediation taking place.**

If, for any reason, payment of the first invoice is not received from either party, Catalyst Mediation may undertake the mediation, on the condition that the solicitor representing the party concerned provides a written undertaking to meet all invoices for the matter within seven days of the mediation date. Failure to give this written undertaking at least one working day prior to the mediation date will cause the mediation to be cancelled and the party incurring 100 per cent cancellation charges for their share of the mediation fee.

The second invoice is payable no later than 14 days from the invoice date.

Payments by BACS should be made to:	Cheques should be sent to:
Catalyst Mediation Sort Code 82 20 00 Account Number 90326122	Catalyst Mediation Baltic Chambers, 50 Wellington St. Glasgow, G2 6HJ

## **Cancellation**

In the event of cancellation in writing by either party after the mediation date has been confirmed, Catalyst Mediation will be entitled to:

- 14 days or more before the mediation date, any non-recoverable expenses and a £175 per party charge.
- Less than 14 days but more than 7 days before the mediation date, 50% of the mediation day fees and any non-recoverable expenses.
- Less than 7 days but more than 24 hours before the mediation date, 75% of the mediation day fees and any non-recoverable expenses.
- Less than 24 hours before the mediation date, Catalyst Mediation will be entitled to 100% of all the mediation day fees and any non-recoverable expenses.

## **Postponement**

If a new mediation date within 14 days of the date of postponement is agreed, no cancellation provisions will apply to this postponement. Parties will be liable for irrecoverable expenses such as venue hire charges and any agreed work that has already been completed. Any subsequent postponement will incur standard cancellation provisions.

These figures are valid until 31st December 2006

Our website at <http://www.catalystmediation.co.uk/> will give you more details - or do not hesitate to speak to Jeremy Scuse on 07811 141 482 or David Semple on 07785 594 210.

### **Catalyst Mediation**

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