

MARKSADR, LLC

Rate Summary – U.S. Cases

Professional Fees (generally divided by the parties)

Professional fees include:	
<ul style="list-style-type: none"> • Case convening 	<ul style="list-style-type: none"> • Mediation and arbitration sessions
<ul style="list-style-type: none"> • Preparation 	<ul style="list-style-type: none"> • Pre-mediation and pre-arbitration conferences
<ul style="list-style-type: none"> • Follow-up 	
<p>Mr. Marks' fees differ depending on whether mediation and arbitration sessions are held in Washington, D.C. or elsewhere. Mr. Marks is prepared to conduct mediation and arbitration sessions at the location most convenient for all participants. However, he has a strong preference to hold sessions in Washington, D.C. To provide an incentive for parties to come to Washington, Mr. Marks charges substantially less for such sessions.</p>	
<p>Jonathan Marks' professional fees are agreed to on a case-by-case basis, taking account of the nature and stakes of the case, as well as required time and travel commitments.</p> <ul style="list-style-type: none"> • In most cases, fees are based on the actual time required, measured on a daily and hourly basis, and based on an agreed budget. • In some cases, fees are based on an agreed "project fee," or on a combination of a project fee and daily and hourly fees, plus actual expenses. 	<p>Where fees are set based on level of effort, the following charges apply:</p> <ul style="list-style-type: none"> • For mediation and arbitration sessions, as well as pre-mediation and pre-arbitration conferences, scheduled in Washington, D.C.: \$7,500 per day, with a two-day minimum. • For mediation and arbitration sessions, as well as pre-mediation and pre-arbitration conferences, scheduled in any other United States location: \$10,000 per day, with a two-day minimum. • Fees for cases held outside the United States are set on a case-by-case basis. • For preparation and follow-up: \$600 per hour. • Actual expenses are billed at cost.

Case Management Fee (generally divided by the parties)

The Case Management Fee covers certain costs associated with the mediation or arbitration, including:	
<ul style="list-style-type: none"> • Case scheduling and administration 	<ul style="list-style-type: none"> • Use of MARKSADR, LLC conference facilities.
<ul style="list-style-type: none"> • Document handling, copying and fax 	<ul style="list-style-type: none"> • Regular telephone usage
Case Management Fee for Jonathan Marks' cases: 6% of total professional fees.	

Cancellation and Payment Policies

Cancellation and Rescheduling	<ul style="list-style-type: none"> • If mediation sessions are canceled more than 60 days before a session, professional fees are fully refundable, except where preparation or other professional time has already been incurred.
	<ul style="list-style-type: none"> • The parties are charged for booked time in mediations canceled less than 60 days before the session unless the time can be rescheduled for another matter. Otherwise the daily fee per scheduled mediation day will be billed.
	<ul style="list-style-type: none"> • No rescheduling fee will be charged if the mediation sessions are rescheduled up to 60 days before the date of the session; a rescheduling fee of 50% of the applicable fee will be charged if sessions are rescheduled within 60 days of the session, unless the time can be rescheduled for another matter.
	<ul style="list-style-type: none"> • Cancellation and rescheduling fees for arbitrations are the same as for mediations, except that we apply a 90-day cancellation and rescheduling period, rather than a 60-day period.
	<ul style="list-style-type: none"> • If a booked mediation or arbitration session is completed in less than the booked time, the actual time reserved but not used by the parties will be billed unless the time can be used to work on another matter.
Payment	<ul style="list-style-type: none"> • All fees are due and payable upon receipt of retainer invoice and must be paid in advance of the mediation session or arbitration hearing.

Budget and Retainer Invoice: In all Mr. Marks' cases, a budget for fees and expenses is prepared after consultation with the parties, and retainer invoices are sent based on the budget.

