

## MARKSADR, LLC



### Rate Summary – Jonathan Marks

**Professional Fees:** Mr. Marks' professional fees include:

- Case convening.
- Preparation, including review of materials and telephonic and e-mail interactions.
- In-person mediation sessions and meetings.
- Arbitration conferences and hearings.
- All case administration services.
- Out-of-pocket expenses, other than travel, conference call fees, and food service during mediation sessions.

**Mr. Marks' Fees:**

- Mediation in-person sessions and meetings:
  - Washington, D.C. area: \$12,500/day.
  - Elsewhere in the United States: \$15,000/day for one-day sessions; \$12,500/day if more than one day is scheduled.
  - International: Agreed on case-by-case basis.
- Arbitration hearings and pre- and post-hearing arbitration conferences:
  - In the United States: \$10,000/day.
  - International: Agreed on case-by-case basis.
- Other mediation and arbitration work, including preparation, review of materials, follow-up and telephonic interactions: \$800/hour.

**Additional Fees:**

- **Travel:** Non-work travel in domestic matters is billed at \$400/hour.
- **Mediation Session Cancellation:**
  - If mediation sessions are cancelled more than 45 days before the booked date, fees are refundable, except where preparation time has already been incurred.
  - The Parties are charged for booked time for mediation sessions cancelled less than 45 days before booked date, unless the time can be booked for another mediation session or arbitration hearing. Otherwise the daily fee per scheduled mediation day will be billed.
- **Mediation Session Rescheduling:**
  - No rescheduling fee is charged if mediation sessions are rescheduled more than 45 days before the booked date.
  - A rescheduling fee of 50% of the daily rate is charged if a session is rescheduled within 45 days of the session, unless time can be booked for another mediation session or arbitration hearing.
- **Arbitration Cancellation and Rescheduling:**
  - Cancellation and rescheduling fees for arbitrations are the same as for mediations, except that a 60-day cancellation and rescheduling period applies, rather than a 45-day period.
- **Early Completion:** If mediation or arbitration sessions are 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 booked for another mediation session or arbitration hearing.
- **Expenses:** Expenses for Mr. Marks are billed at cost. Mr. Marks' air travel is normally business or first class.

**Budget, Retainer, and Payment:**

- In all Mr. Marks' cases, a budget for fees and expenses is prepared after consultation with the Parties, and a retainer invoice is sent based on the budget.
- In mediations, a budget is set after an initial joint call with representatives of the Parties, during which agreement is reached on a preparation protocol and schedule, as well as on a mediation session date or dates.
- In self-administered arbitrations, a budget is usually set based on work contemplated in the case's scheduling order; in administered arbitrations, procedures of the administering institution are followed.
- All fees in mediations and self-administered arbitrations are due and payable upon receipt of retainer invoice and must be paid in advance of the mediation session or arbitration hearing.