



**FEES AND COSTS FOR
BINDING ARBITRATION OR NON-BINDING MEDIATION
GOVERNED BY NAM'S STANDARD RULES AND PROCEDURES**
(Effective May 2, 2011)

These fees pertain to cases heard or conferenced in accordance with NAM's Standard Rules and Procedures. However, the fees may vary depending upon the Hearing Officer selected for the case. Hearing Officers that command a different fee structure will be designated as such on NAM's Roster. Such fee structure is presented below under **"SPECIAL RATE STRUCTURE for DESIGNATED HEARING OFFICERS."**

These fees do NOT apply to Tri-panel cases, Private/ Mock Jury Trials, Videconferencing and Trial Preparation Services. Please see NAM's separate Fee Sheet for Special Services for fees applicable to those types of cases.

ARBITRATION & MEDIATION (LESS THAN 4 PARTIES):

Each party is charged a \$495 administrative fee for Arbitrations or Mediations. The administrative fee includes one hour of Hearing Officer Time. Hearing Officer Time shall be defined as, but not be limited to, all case review time, study, research, decision preparation time, telephone or verbal conference time, as well as actual hearing/ conference time. For instances in which the Hearing Officer Time reserved for the case and/ or expended by the Hearing Officer (in any combination) is in excess of one hour, each party will be billed at the rate of \$280 per hour for any additional Hearing Officer Time. If a hearing/conference is continued on a different date, the parties will be charged a minimum of one (1) hour of Hearing Officer Time for each time a hearing/conference is held.

Any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is billable at \$225 to the adjourning party. Any Arbitration or Mediation adjourned without 7 business days notice to NAM will be billable at \$330 to the adjourning party. For adjournments or cancellations on the actual hearing date, the adjourning or canceling party will be responsible for the full administrative fee and for the amount of time reserved for that date. In the event the parties have agreed to an ADR proceeding and the case settles or is canceled prior to the hearing/ conference date, each party will be billed \$225. In the event the case settles on the hearing/ conference date, the parties are responsible for full payment of the administrative fees and for the amount of time reserved for that date. For cases that cannot be finalized in the time reserved by the parties to arbitrate or mediate their matter and, as such, must be continued in a subsequent session on a different date, a rescheduling fee of \$110 per party shall apply. Rescheduling fees are only incurred on sessions that are not reserved in advance of the initial Arbitration or Mediation.

ARBITRATION & MEDIATION (4 OR MORE PARTIES):

Each party is charged a \$325 administrative fee. All administrative fees are non-refundable. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. In addition to the administrative fee, for each hour of Hearing Officer Time, hourly fees of \$660 per hour are charged. This fee is split equally among all parties. Hearing Officer Time shall be defined as, but not be limited to, all case review time, study, research, decision preparation time, telephone or verbal conference time, as well as actual hearing/ conference time. Hourly fees are split equally among all parties for the full duration of the hearing/ conference/ study and decision preparation time (regardless if any individual party is not present for the total time incurred). If a hearing/ conference is continued on a different date, the parties will be charged a minimum of one (1) hour of Hearing Officer Time for each time a hearing/conference is held.

Any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is billable at \$330 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is calculated as \$330 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. Any Arbitration or Mediation adjourned without 7 business days notice to NAM is billable at \$480 to the adjourning party when

there are 4 parties. For 5 or more parties, any Arbitration or Mediation adjourned without 7 business days notice to NAM is calculated as \$480 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. An adjournment on the actual hearing/ conference date is billable at \$660 to the adjourning party when there are 4 parties. For 5 or more parties, the adjournment fee is calculated as \$660 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. In the event the parties have agreed to an ADR proceeding and the case settles or is canceled prior to the hearing/ conference date, each party will be responsible for the administrative fees as described above. In the event a case settles or is canceled on the hearing/ conference date, the parties are responsible for payment of the administrative fees and for the amount of time reserved for that date. For cases that cannot be finalized in the time reserved by the parties to arbitrate or mediate their matter and, as such, must be continued in a subsequent session on a different date, a rescheduling fee of \$160 per party shall apply. Rescheduling fees are only incurred on sessions that are not reserved in advance of the initial Arbitration or Mediation.

SPECIAL RATE STRUCTURE for DESIGNATED HEARING OFFICERS ARBITRATION & MEDIATION (LESS THAN 4 PARTIES):

Each party is charged a \$595 administrative fee for Arbitrations or Mediations. The administrative fee includes one hour of Hearing Officer Time. Hearing Officer Time shall be defined as, but not be limited to, all case review time, study, research, decision preparation time, telephone or verbal conference time, as well as actual hearing/ conference time. For instances in which the Hearing Officer Time reserved for the case and/ or expended by the Hearing Officer (in any combination) is in excess of one hour, each party will be billed at the rate of \$330 per hour for any additional Hearing Officer Time. If a hearing/conference is continued on a different date, the parties will be charged a minimum of one (1) hour of Hearing Officer Time for each time a hearing/conference is held.

Any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is billable at \$225 to the adjourning party. Any Arbitration or Mediation adjourned without 7 business days notice to NAM will be billable at \$330 to the adjourning party. For adjournments on the actual hearing/ conference date, the adjourning party will be billed \$660. In the event the parties have agreed to an ADR proceeding and the case settles or is canceled prior to the hearing/ conference date, the parties are responsible for full payment of the administrative fees. In the event the case settles or is canceled on the hearing/ conference date, the parties are responsible for full payment of the administrative fees and for the amount of time reserved for that date. For cases that cannot be finalized in the time reserved by the parties to arbitrate or mediate their matter and, as such, must be continued in a subsequent session on a different date, a rescheduling fee of \$110 per party shall apply. Rescheduling fees are only incurred on sessions that are not reserved in advance of the initial Arbitration or Mediation.

SPECIAL RATE STRUCTURE for DESIGNATED HEARING OFFICERS ARBITRATION & MEDIATION (4 OR MORE PARTIES):

Each party is charged a \$425 administrative fee. All administrative fees are non-refundable. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. In addition to the administrative fee, for each hour of Hearing Officer Time, hourly fees of \$760 per hour are charged. This fee is split equally among all parties. Hearing Officer Time shall be defined as, but not be limited to, all case review time, study, research, decision preparation time, telephone or verbal conference time, as well as actual hearing/ conference time. Hourly fees are split equally among all parties for the full duration of the hearing/ conference/ study and decision preparation time (regardless if any individual party is not present for the total time incurred). If a hearing/ conference is continued on a different date, the parties will be charged a minimum of one (1) hour of time for each time a hearing/conference is held.

Any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is billable at \$330 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration or Mediation adjourned with at least 7 business days notice to NAM is calculated as \$330 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. Any Arbitration or Mediation adjourned without 7 business days notice to NAM is billable at \$480 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration or Mediation adjourned without 7 business days notice to NAM is calculated as \$480 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. An adjournment on the actual hearing/ conference date is billable at \$760 to the adjourning party when there are 4 parties. For 5 or more parties, the adjournment fee is calculated as \$760 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party.

In the event the parties have agreed to an ADR proceeding and the case settles or is canceled prior to the hearing/ conference date, each party will be responsible for the administrative fees as described above. In the event a case settles or is canceled on the hearing/ conference date, the parties are responsible for payment of the administrative fees and for the amount of time reserved for that date. For cases that cannot be finalized in the time reserved by the parties to arbitrate or mediate their matter and, as such, must be continued in a subsequent session on a different date, a rescheduling fee of \$160 per party shall apply. Rescheduling fees are only incurred on sessions that are not reserved in advance of the initial Arbitration or Mediation.

PAYMENT TERMS

Administrative fees, advance hearing time reserved and rescheduling fees for continued hearings are due two weeks prior to the hearing date. If a case is scheduled less than two weeks before the hearing date, the fees are due upon receipt of the invoice but in no event later than the hearing date. NAM may elect not to commence administration of the claim or not to allow the hearing/ conference to proceed until all outstanding fees are paid. Fees for adjournments, cancellations, settlements, and hearing time/ Hearing Officer study time are due within 10 days of invoice date. Interest will be charged at a rate of 1.5% per month on balances more than 30 days past due.

Any questions or concerns regarding invoices should be brought to NAM's attention within 30 days of the receipt of the invoice. Any comments received after 30 days cannot be considered.

Fees and costs are effective as of 05/ 02/ 11. All fees are subject to adjustment annually as of July 1st of each year. Hearing Officer travel time (should any be required) is billable to each party at the assigned Hearing Officer's travel time rate.