



**FEES AND COSTS FOR
BINDING ARBITRATION OR NON-BINDING MEDIATION
GOVERNED BY NAM'S STANDARD RULES AND PROCEDURES – FOR SPECIAL SERVICES**
(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 are applicable only to Tri-panel cases, Private/ Mock Jury Trials, Videoconferencing and Trial Preparation Services. Please see NAM's Fee Sheet entitled “Fees and Costs for Binding Arbitration or Non-Binding Mediation Governed by NAM's Standard Rules and Procedures” for the current fees for standard arbitrations and mediations.

TRI-PANEL (LESS THAN 4 PARTIES):

Each party is charged a \$425 administrative fee. All Tri-panel administrative fees are non-refundable. The administrative fee must be received by NAM prior to scheduling the hearing/ conference. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. The cost of three Hearing Officers is \$1,680 per hour (split equally among all parties). The hourly rate is inclusive of all hearing/ conference time and includes any Hearing Officer(s) study, research and decision preparation time. 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 Tri-panel Arbitration adjourned with at least 7 business days notice to NAM is billable at \$330 to the adjourning party. Any Tri-panel Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is billable at \$480 to the adjourning party. The adjourning party shall be responsible for \$1,680 should they adjourn within 2 business days prior to the actual day of the scheduled hearing/ conference. 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 if settled or cancelled more than 2 business days before the hearing/conference date. In the event a case settles or is canceled within 2 business days prior to the actual day of the scheduled hearing/ conference, the parties are responsible for payment of the administrative fees and the higher of (i) the amount of time reserved for that date or (ii) two hours of hearing/ conference time. 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.

TRI-PANEL (4 OR MORE PARTIES):

Each party is charged a \$425 administrative fee. All Tri-panel administrative fees are non-refundable. The administrative fee must be received by NAM prior to scheduling the hearing/ conference. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. The cost of three Hearing Officers is \$1,950 per hour (split equally among all parties). The hourly rate is inclusive of all hearing/ conference time and includes any Hearing Officer(s) study, research and decision preparation time. 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 Tri-panel Arbitration adjourned with at least 7 business days notice to NAM is billable at \$600 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration adjourned with at least 7 business days notice to NAM is calculated as \$600 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. Any Tri-panel Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is billable at \$865 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is calculated as \$865 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. The adjourning party shall be responsible for \$2,690 should they adjourn within 2 business days prior to the actual day of the scheduled hearing/ conference

plus \$110 for each party in excess of 4. 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 if settled or cancelled more than 2 business days before the hearing/ conference date. In the event a case settles or is canceled within 2 business days prior to the actual day of the scheduled hearing/ conference, the parties are responsible for payment of the administrative fees and the higher of (i) the amount of time reserved for that date or (ii) two hours of hearing/ conference time. 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 \$270 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

TRI-PANEL (LESS THAN 4 PARTIES):

Each party is charged a \$450 administrative fee. All Tri-panel administrative fees are non-refundable. The administrative fee must be received by NAM prior to scheduling the hearing/ conference. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. The cost of three Hearing Officers is \$1,950 per hour (split equally among all parties). The hourly rate is inclusive of all hearing/ conference time and includes any Hearing Officer(s) study, research and decision preparation time. 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.

To the extent that the Tri-panel of Hearing Officers selected for the case are not all Specially Designated Hearing Officers, there is a \$90 discount per hour off of the \$1,950 hourly fee for each non-Specially Designated Hearing Officer. For instance, if 2 members of the Tri-panel are NOT specially Designated Hearing Officers, the hourly fee will be \$1,770 per hour.

Any Tri-panel Arbitration adjourned with at least 7 business days notice to NAM is billable at \$330 to the adjourning party. Any Tri-panel Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is billable at \$480 to the adjourning party. The adjourning party shall be responsible for \$1,950 should they adjourn within 2 business days prior to the actual day of the scheduled hearing/ conference. 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 if settled or cancelled more than 2 business days before the hearing/conference date. In the event a case settles or is canceled within 2 business days prior to the actual day of the scheduled hearing/ conference, 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

TRI-PANEL (4 OR MORE PARTIES):

Each party is charged a \$450 administrative fee. All Tri-panel administrative fees are non-refundable. The administrative fee must be received by NAM prior to scheduling the hearing/ conference. This fee includes case administration, coordination, scheduling, document handling, faxing and postage. The cost of three Hearing Officers is \$2,250 per hour (split equally among all parties). The hourly rate is inclusive of all hearing/ conference time and includes any Hearing Officer(s) study, research and decision preparation time. 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.

To the extent that the Tri-panel of Hearing Officers selected for the case are not all Specially Designated Hearing Officers, there is a \$90 discount per hour off of the \$2,250 hourly fee for each non-Specially Designated Hearing Officer. For instance, if 2 members of the Tri-panel are NOT specially Designated Hearing Officers, the hourly fee will be \$2,070 per hour.

Any Tri-panel Arbitration adjourned with at least 7 business days notice to NAM is billable at \$600 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration adjourned with at least 7 business days notice to NAM is

calculated as \$600 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. Any Tri-panel Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is billable at \$865 to the adjourning party when there are 4 parties. For 5 or more parties, any Arbitration adjourned without 7 business days notice to NAM but more than 2 business days notice to NAM is calculated as \$865 plus \$110 for each party in excess of 4 and is billable in total to the adjourning party. The adjourning party shall be responsible for \$3,650 should they adjourn within 2 business days prior to the actual day of the scheduled hearing/ conference plus \$110 for each party in excess of 4. 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 if settled or cancelled more than 2 business days before the hearing/ conference date. In the event a case settles or is cancelled within 2 business days prior to the actual day of the scheduled hearing/ conference, 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 \$270 per party shall apply. Rescheduling fees are only incurred on sessions that are not reserved in advance of the initial Arbitration or Mediation.

PRIVATE/MOCK JURY TRIAL:

The following fees for Private/ Mock Jury Trials are NOT on a per party basis; they represent fees for the trial. If there is only one party, that party is responsible for all such fees; if there is more than one party, such fees are shared by all parties.

Administrative Fee:	\$5,400
Cost of Judge:	\$560 per hour (\$660 per hour if a Specially Designated Hearing Officer is selected)
Cost per Juror:	\$400 per day
Videotaping Fee:	\$560 per day per conference room
Conference Room Facilities:	To be billed at NAM's cost

Any Private/ Mock Jury Trial adjourned with at least 7 business days notice to NAM is billable at \$4,300 to the adjourning party. Any Private/ Mock Jury Trial adjourned without 7 business days notice to NAM will be billable at \$7,500 to the adjourning party. In the event a Private/ Mock Jury Trial has been agreed to and the case settles or is canceled with at least 7 business days notice, a fee of \$4,300 will be billed. In the event a Private/ Mock Jury Trial has been agreed to and the case settles or is canceled without 7 business days notice, a fee of \$7,500 will be billed.

VIDEOCONFERENCING:

NAM provides point-to-point videoconferencing. Two videoconference locations are required, either from a NAM office to another NAM office, or between NAM and an outside location.

There is NO CHARGE to the parties to utilize NAM's videoconferencing services in order to participate in a NAM Arbitration or Mediation. However, to utilize NAM's videoconferencing services without participating in a NAM Arbitration or Mediation, the cost is \$215 per hour plus a one-time fee of \$55 as a telephone line charge. If NAM is required to initiate the call, there will be a phone usage charge of approximately \$60 per hour.

TRIAL PREPARATION SERVICES:

Administrative Fee:	\$100
Cost of Judge:	\$560 per hour (\$660 per hour if a Specially Designated Hearing Officer is selected)

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.