

# DIAMOND DISPUTE RESOLUTION

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## **SERVICES AND FEE SCHEDULE (4/19)**

### **MEDIATION**

#### **Mediator's Fees**

Phil Diamond mediates matters in the Bay Area and throughout the state of California. His mediation billing rates are currently \$500/hour for a two-party case (\$250/hour per party), \$550/hour for a three-party case (\$183.33/hour per party), and \$600/hour for cases with four or more parties and for complex litigation. Fees are charged for time spent in preparation for the mediation (e.g., reviewing briefs or other materials provided by the participants, communications with the participants, site inspections, etc.), the mediation session, preparation and review of correspondence and emails, telephone calls, and travel time if the mediation is held outside of Marin or San Francisco Counties. If the mediation is not concluded in one session, the mediation will continue, and the Mediator's time will continue to be compensable, until one side unequivocally communicates to the Mediator that the mediation process has concluded. Unless the mediation is held in a facility provided by the parties, there is also an administrative fee in the total amount of \$275/day/party. Unless otherwise agreed, fees shall be shared equally by the participants.

#### **Payment Policy**

Participants are required to make a deposit covering twelve (12) hours of mediator time, plus the administrative fee, within seven days of Mediator's request therefor, or by no later than fourteen (14) days prior to the mediation, whichever is earlier. There is a four-hour minimum charge. Any unused portion of the balance of the deposit above the four-hour minimum will be refunded to the participants. The four-hour minimum charge is forfeited if the mediation is cancelled within forty-eight (48) hours prior to the mediation. Additional deposits, under the same terms as above, are required for all follow-up mediation sessions. Invoices are due and payable upon receipt. There is a 1.0% monthly late payment charge on any amount unpaid for more than thirty (30) days.

**ARBITRATION/SPECIAL MASTER/DISCOVERY  
FACILITATOR/MEDIATION CONSULTANT**

Mr. Diamond also serves as an Arbitrator, Special Master, Discovery Facilitator and Referee, and Mediation Consultant. His current billing rate for these services is \$500/hour. For arbitrations, Participants are required to make an Initial Deposit in the full amount of the estimated arbitration hearing time, the estimated time required for the preparation of the Award following the hearing, and the administrative fee, by no later than fourteen days in advance of the arbitration hearing. Should the Participants require additional hearing time, Participants are required to make a Supplemental Deposit in the full amount of the estimated additional hearing time, plus an additional administrative fee based upon the estimated additional days of hearing that are required, by no later than fourteen days in advance of the further hearing(s). If at the close of the hearing there is insufficient deposit to cover the estimated time for preparation of the Award, Participants agree to make a Supplemental Deposit to cover such estimated additional time. All fees must be paid in full before the Award will be issued. All sums remaining on deposit upon conclusion of the assignment are refunded to the parties within ten days of conclusion of the matter.