

## AMERICAN DISPUTE RESOLUTION CENTER, INC.

### ARBITRATION FEE SCHEDULE

#### **FILING FEE**

An initial filing fee is payable in full by a filing party when a claim, counterclaim or additional claim is filed. Fees are subject to increase if the amount of the claim or counterclaim is modified after the initial filing date. Fees are subject to decrease if the amount of the claim or counterclaim is modified prior to the first hearing. Fees may also be subject to increase should the claim or counterclaim contain significant non-monetary claims or requests for awards, in the discretion of ADR Center based upon the facts, nature and the significance of such claims. Where the claim or counterclaim seeks a non-monetary award of significance or in its entirety, or where no amounts can be stated at the time of filing, the initial and/or final filing fee shall be not less than \$3,000, in ADR Center's discretion, based upon the facts, nature and the significance of such claims.

| <b>Claim</b>                      | <b>Initial Filing Fee</b>                                               |
|-----------------------------------|-------------------------------------------------------------------------|
| Above \$0 to \$10,000             | \$ 975                                                                  |
| Above \$10,000 to \$75,000        | \$1,250                                                                 |
| Above \$75,000 to \$150,000       | \$2,500                                                                 |
| Above \$150,000 to \$300,000      | \$3,500                                                                 |
| Above \$300,000 to \$500,000      | \$5,000                                                                 |
| Above \$500,000 to \$1,000,000    | \$7,500                                                                 |
| Above \$1,000,000 to \$5,000,000  | \$10,000                                                                |
| Above \$5,000,000 to \$10,000,000 | \$15,000                                                                |
| Above \$10,000,000 and above      | Base fee of \$15,000 plus .1% of the amount of claim above \$10 million |
| Non-monetary Claims               | \$3,000 - \$15,000                                                      |

#### **HEARING FEES**

A hearing fee will be charged in the amount of \$300.00 per party per hearing day for all cases that proceed to their first hearing. These fees will be payable in advance at the time that the first hearing is scheduled. These fees will be refunded at the conclusion of the case if no hearings have occurred. However, if ADR Center is not notified of a postponement at least 2 business days before the time of the scheduled hearing, the hearing fee will remain due by the canceling party and will not be refunded. Hearing postponements less than 2 business days may also result in the canceling party being responsible for any other postponement fees, including but not limited to room rental fees.

### **REFUND SCHEDULE**

ADR Center's refund schedule for claims and counterclaims is as follows:

- 100% of the filing fee will be refunded if the case is settled or withdrawn within five (5) calendar days of filing the demand for arbitration, except for a minimum filing fee of \$350.00 for cases up to \$75,000 and a minimum filing fee of 750.00 for all other cases.
- 50% of the filing fee will be refunded if the case is settled or withdrawn between six (6) and thirty (30) calendar days of filing the demand for arbitration.
- 25% of the filing fee will be refunded if the case is settled or withdrawn between thirty one (31) and sixty (60) calendar days of filing the demand for arbitration.

No refund will be made once an arbitrator has been appointed (this includes one arbitrator on a three arbitrator panel).

### **ARBITRATOR'S FEE**

Arbitrator fees shall be charged in accordance with each arbitrator's fee schedule, as he or she may establish from time to time. Arbitrators are independent contractors, not employed by ADR Center. The arbitrator may also charge on an hourly or per diem basis for participation in administrative conferences, rulings on motions outside of hearings, study time in considering and rendering the award, and for other time spent outside of hearings, as well as charge for reimbursement of travel and other reasonable expenses related to the case, and late cancellation fees.

### **MISCELLANEOUS EXPENSES**

Hearing rooms are available at such rates as may be established by third parties, off-site. ADR Center reserves the right to charge for overnight mail, and for photocopies, postage, telephone conferencing and other expenses and disbursements.

### **ABEYANCE FEE**

Parties on cases held in abeyance for one year by agreement will be assessed an annual abeyance fee of \$350.00. If a party refuses to pay the assessed fee, the other party or parties may pay the entire fee on behalf of all parties, otherwise the matter will be closed.