

UPTON, MICKITS & HEYMANN, L.L.P.

Corpus Christi Office

Frost Bank Plaza
802 N. Carancahua, Suite 450
Corpus Christi, Texas 78401
Tel: (361) 884-0616
Fax: (361) 884-5291

Attorneys At Law

James W. Upton

jupton@umhlaw.com

San Antonio Office

Lincoln Center
7800 IH 10 West, Suite 740
San Antonio, Texas 78230
Tel: (210) 881-3080
Fax: (210) 881-3090

FEE SCHEDULE FOR MEDIATION SERVICES

Mediator's Objective

It is my objective to provide mediation services at a reasonable cost to the parties involved in pre-litigation and/or litigation matters.

Parties

All parties represented by a single attorney are considered "one party" for fee purposes.

Half-Day Mediation

Mediation fee for a half-day mediation is \$650.00 per party per half-day. The mediation fee covers the scheduling and administration of mediation, review of submitted material from counsel, daily cost of the mediation session and telephone conferences with the attorneys before and, if necessary, after the mediation session.

Full Day Mediation

Mediation fee for a full day mediation is \$1,500.00 per party per day. The mediation fee covers the scheduling and administration of mediation, review of submitted material from counsel, daily cost of the mediation session, working lunch provided, and telephone conferences with the attorneys before and, if necessary, after the mediation session.

Mediation Travel

Please call for mediation fees for out of town travel.

Payment

It is expected that mediation fees will be paid prior to commencement of mediation. In order to lock-in and retain the scheduled mediation date, the full amount of the mediation fee is due in our offices within ten (10) days after notification of the amount of fee and date scheduled for mediation and no less than three (3) days prior to mediation. If the fees are not received timely for all parties, it may be necessary to reschedule the mediation. All parties' fee payments shall be in the form of cash, cashier's check or check drawn from the bank account of (or payment guaranteed by) a law firm and made payable to Upton, Mickits & Heymann, L.L.P. Each parties' attorney shall be responsible for the timely delivery of payment of such parties' fees as specified herein.

Fees Earned

The full mediation fee for all scheduled mediations shall be deemed fully earned upon commencement of the initial scheduled daily mediation session. All payments of mediation fees received prior to the day of the scheduled mediation session shall be deposited into and retained in my trust account.

Cancellation

THERE ARE NO CANCELLATION OR RESCHEDULING FEES. Time is of the utmost importance for all of us involved in the mediation process and circumstances may arise that require the mediation to be cancelled or rescheduled at the last minute. In cases such as this, no charges will be assessed against any party and I will work with everyone on rescheduling the mediation. In the event that your case settles prior to mediation, congratulations and I hope you will consider my services for your next case.