

W. DAVID SHEARER, JR., J. D. - KENTUCKY FEE SCHEDULE:

Kentucky Arbitrator

Kentucky Supreme Court:

- Approved General Civil Mediator
- Approved Family Mediator

Attorney at Law* (KY Bar)*

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Mediate Rather than Litigate! ~~~~~ Arbitrate to Expediate!

W. David Shearer, Jr., J. D., **Kentucky Arbitrator** and a **Kentucky Supreme Court Approved General Civil and Family Mediator** is available to accept assignments as a mediator and/or arbitrator in the field of alternative dispute resolution. He has the education, broad practical experience and expertise to help you solve tough problems and avoid costly and time-consuming litigation.

Mr. Shearer is devoted to serving his clients and is committed to insuring the best possible resolutions. As a Mediator, he believes parties should be able to make their own decisions and control the resolution process. Let Mr. Shearer reconcile or guide your litigants to resolve their own disputes through an expeditious, fair and just arbitration or mediation process.

In Arbitration, Mr. Shearer makes a decision (binding or non-binding) depending upon the type of arbitration process selected by the parties. His goal as an Arbitrator, is to set and maintain the highest standard of "neutrality" in arbitration.

Service Fee Rates and Charges – [Effective February 9, 2016]

A. PREPARATION AND OTHER TIME

(1) Arbitration:

Review of **Pre-Arbitration Summary** and other documents for all parties will be billed at the **rate of \$150 per hour**.

(2) Mediation:

Review of **Pre-Mediation Summary** and other documents **beyond 30 minutes** for all parties will be billed at the **rate of \$170 per hour**. If the total time of review does not exceed 30 minutes, no fee will be charged.

B. Arbitration/Mediation - Services provided within the 30th Circuit Court

District (Jefferson County, Kentucky)

(1) One-half Day (3 ½ hours) Reserved \$450 Minimum \$225 (1 3.4 hour)

- \$200 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- No Charge For Travel Time

(2) Full Day (7 hours) Reserved \$900 Minimum \$450 (3 ½ hour)

- \$400 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- No Charge For Travel Time

(3) Two or more Days

- (14 hours) Minimum) Reserved \$1,800 (at least) \$ 900 (7 hours) Minimum
- \$800 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- \$100 per hour travel time charged beyond first hour of travel. (1st hour of travel provided free).

C. Arbitration/Mediation - Services provided outside the 30th Circuit Court District (Jefferson County, Kentucky)

(1) One-half Day (3 ½ hours) Reserved \$450 Minimum \$225 (1 ¾ hour)

- \$200 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- \$100 per hour travel time charged beyond first hour of travel. (1st hour of travel provided)

(2) Full Day (7 hours) Reserved \$900 Minimum \$450 (3 ½ hour)

- \$400 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- \$100 per hour travel time charged beyond first hour of travel. (1st hour of travel provided free)

(3) Two or more Days

- (14 hours) Minimum) Reserved \$1,800 (at least) \$ 900 (7 hours) Minimum
- \$800 Late Cancellation / Postponement (*See Cancellation Policy, G., infra)
- \$100 per hour travel time charged beyond first hour of travel. (1st hour of travel provided free)

D. RESPONSIBILITY OF ATTORNEYS

Each party's attorney, acting as agent for a disclosed principal, the attorney's client, understands to be **equally responsible for the timely delivery of the client's fee and charges**, for and in consideration of the mediator/arbitrator setting aside time to mediate/arbitrate the dispute without requiring prepayment of fee and charges.

E. PAYMENT TERMS

Unless alternate arrangements are made at least ten (10) calendar days prior to mediation/arbitration, **said fee and charges are due and shall be paid at the conclusion of the mediation conference/first arbitration hearing session**. Checks and credit cards are accepted.

F. COST, CHARGES & TRAVEL EXPENSES (IF, APPLICABLE)

Mediation/Arbitration charges are at actual cost of reasonable expenses which include air-fare, car rental, taxi, phone, postage, copying and clerical assistance, food and lodging. Automobile mileage is charged at the applicable IRS expense rate.

Unless prior arrangements are made, **significant travel expenses** (e.g., air travel, rental car, meals and lodging, when the engagement requires) will be **discussed and prepayment arrangements** made with the parties at least two weeks prior to commencement of the **first day of the arbitration/mediation hearing session**.

G. CANCELLATION POLICY

Notice of cancellation or postponement of a scheduled mediation conference must be **received at least ten (10) full business days** (intervening weekends [Saturdays and Sundays] or federal holidays excluded) prior to the scheduled commencement of the mediation conference/**first arbitration hearing session**.

Absent such timely notification, and if the mediation conference/arbitration hearing is not rescheduled, the parties will be billed their pro rata shares of the cancellation/postponement fee as stated above, as well as each party's pro rata share of travel expenses already incurred (e.g., airline fee and charges or penalties as a result of any pre-payments and/or deposits for the engagement).

H. Fee and Charges

Fees and Charges as stated apply **unless** court order, agency order, or published panel/roster **dictates different rates**, in which case those rates and charges govern.