

ANNUNZIATA RESOLUTION

239.309.2140

rich@annunziataresolution.com

annunziataresolution.com

Richard S. Annunziata Certified Circuit Civil Mediator

Please contact Maria MacKay at casemanager@annunziataresolution.com for more information

MEDIATION CONFIRMATION AND FEE AGREEMENT

Case: **PLAINTIFF v DEFENDANT**
Case No.: **12-2024-CA-XXXXXX-0001-XX**
Date: **June 22, 2024**
Time: **2:00 pm**
Location of Case: **HYBRID: ZOOM AND IN-PERSON: Attorney Office Address, Suite 200 Bonita Springs, FL 34134**

Plaintiff's Counsel: **Attorney Name, Esq.**
Defendant's Counsel: **Both Attorney's Names, Esq.**
Mediator: **Rich Annunziata**

Join Zoom Meeting: <https://zoom.us/j/>

Zoom Meeting ID: **xxxxxxxxxxx**

Zoom Password: **xxxx**

This will confirm that you have scheduled a Mediation in the above-described matter at the time and place set forth above. Unless notified in writing of any objection to the following terms, conditions and policies within three (3) business days of your receipt of this Agreement, the same shall be deemed to be accepted by all parties and counsel in this case. Credit is extended to counsel only, who is primarily responsible for payment. As a result, counsel are requested to have their clients bring a check to mediation, or to require their clients to provide sufficient funds by retainer to cover the costs of mediation.

Brief Summary: Please send a brief summary of your position at least five (5) business days before the mediation via email to rich@annunziataresolution.com and casemanager@annunziataresolution.com.

Hourly Rate \$225 per party per hour, with two parties
 \$200 per party per hour, with three parties
 \$175 per party per hour, with four parties
 \$800 per hour, with five or more parties, divided equally by the number of parties

A "party" is defined as one or more persons or entities who have a common interest and who are represented by a single attorney or firm (or lead counsel and local counsel, or insurance defense counsel and independent counsel). If a mediation commences with three or more parties and, before it is concluded, one or more parties leaves (because they settle out, reach an impasse, or because the mediation is continued as to them), all parties shall be billed at the applicable multi-party rates indicated above through the time the one or more parties leave and, thereafter, the remaining parties shall be billed at the applicable rate based upon the number of parties then remaining who proceed with the mediation process that day.

Attendees: As soon as practicable, but in no event later than seven (7) days prior to the mediation, please notify Maria MacKay (casemanager@annunziataresolution.com) of the full names and of all those who will be in attendance at the mediation and the manner by (e.g., laptop, tablet, PC, Mac, smartphone, or other) and location from which each attendee will be participating if attending by zoom.

Scheduling Cases: Half Day Mediations - 9:00 a.m. to 12:30 p.m., or 1:30 p.m. to 5:00 p.m. Complex or multi-party cases may require a whole day. Unless expressly stated when the mediation is scheduled, it is presumed that all mediations commencing before noon are for a whole day.

Cancellation Fees: If scheduled for a half day, a cancellation fee of three hours' time will be due at the applicable hourly rate if cancelled less than seven (7) full calendar days before the scheduled Mediation date. If scheduled for a whole day, a cancellation fee of four hours' time will be due at the applicable hourly rate if cancelled less than seven (7) full calendar days before the scheduled Mediation date. Cancellation fees will be billed to the party or parties requesting the cancellation. Cancellation fees apply regardless of whether the mediation being cancelled is, or is to be, rescheduled. However, cancellation fees will NOT apply if we are able to schedule another mediation in place of the cancelled mediation (for example, on the date it has been cancelled). In the event of a dispute as to who is responsible for the cancellation fee, Annunziata Resolution will not be responsible for allocating the cancellation fee or for resolving any disputes concerning it. In such event, all parties shall be equally responsible for pro rata portions of the cancellation fee and, after making payment, shall have the right to file an appropriate motion with the court or arbitration tribunal before which their matter is pending to seek reimbursement from an opposing party or parties. If a mediation is scheduled 7 or fewer days before the scheduled date and is then cancelled, the cancellation fee will apply if it is cancelled less than 3 full calendar days before the scheduled date. For mediations scheduled for more than one day, the foregoing cancellation fees shall apply if any one or more of the scheduled days is cancelled less than thirty (30) full calendar days before the scheduled date.

Minimum Mediation Fees: The minimum fee for a mediation scheduled for a half day is three (3) hours' time, and the minimum fee for a mediation scheduled for a whole day is six (6) hours' time. Time is billed in half hour increments.

Preparation & Mediation Time: Full hourly rate.

Travel Time & Expenses: NO CHARGE for travel time or mileage for mediations conducted within Collier, Lee, Charlotte, and Hendry Counties. For mediations conducted outside of those four counties, there will be a charge of \$200 per hour for travel time, divided equally by the number of parties. If necessary, airfares, lodging, rental cars, parking and meals will be billed at their actual cost.

Bills: BILLS ARE DUE AND PAYABLE UPON RECEIPT AT THE CONCLUSION OF THE MEDIATION.

If there are any questions about this engagement or services in general, please do not hesitate to contact Rich Annunziata at 239-841-9237 or case manager, Maria MacKay, at casemanager@annunziataresolution.com. Thank you for trusting Annunziata Resolution to help resolve this dispute.

Sincerely,



/s/ Richard Annunziata

For Annunziata Resolution

