

August 23, 2024

Via Email To All Counsel

Re: Plaintiff v. Defendant – Mediation Confirmation

Dear Counsel:

Thank you for asking me to serve as mediator in this matter. We have agreed that the mediation will occur on **Friday, November 8, 2024 starting at 8:30 am**. The mediation will be conducted via Zoom and I will provide all counsel with a link to join the mediation.

My fee for serving as mediator is \$550.00 per hour, including time spent at the mediation, preparation for the mediation, preparation of documents after the mediation, and discussions and telephone conferences with each of you and any persons involved in the mediation either before, during, or after the mediation. My fee is to be split evenly between you and you are responsible for its payment whether or not your clients reimburse you for the fee. Please note, a minimum of 4 hours will be billed for a half day mediation and a minimum of 8 hours will be billed for a full day mediation. If the mediation is cancelled 7 days or less prior to the mediation, a minimum fee of \$2,500 for a half day or \$5,000 for a full day will be charged to the cancelling party.

My involvement in this matter is as a mediator, and not as counsel for or advisor to any party or counsel. None of my comments during any joint or separate sessions are intended to, nor can they be relied upon, as legal, tax, or other professional advice to any party. There is no attorney-client or fiduciary relationship between me and any of the parties or counsel for the parties. I will not be an advocate for any party nor can I impose a settlement on or make a decision for any party.

Please provide me with a mediation memorandum not less than 5 days prior to the mediation. The memorandum should be accompanied by any documents you believe will assist in my preparation.

Each side should share its mediation memorandum with the other. If there are matters you wish me to consider that you do not wish to share with the other side, please send me a separate memorandum marked "Confidential for Mediator." All mediation memorandum and other documents should be emailed to me directly with a copy to my assistant at lisa@marksonmediation.com. If your attachments are too voluminous to email, please provide a link so that I can download them. If you are unable to provide a link, contact my assistant and she will provide you with a Dropbox link to upload your documents.



Please be sure your clients, or persons with authority to make decisions about settling this matter, are present at the mediation.

Thank you for selecting me as your mediator and I look forward to working with you.

Kindest regards,

bmm/lmf

Barry M. Markson

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