

## **Mediation Fees and Procedures**

### **Mediation Fees**

Mr. Lachenmeier charges \$250.00 an hour for review of materials and for the mediation, split equally between the parties unless specifically agreed otherwise. Also, unless otherwise specified, each party should pay a \$750.00 deposit when the mediation is set up for half a day and \$1,200.00 each if booked for an entire day. Refunds for unused funds will be promptly made. Similarly, if additional hours are required to reach resolution, those hours will be promptly billed. The law firms representing the parties are agreeing to be guarantors of payment of their client's share of the mediation fee. In case of a cancellation, fees will be charged just for time spent from initial booking until cancellation.

Mr. Lachenmeier will travel anywhere in the state of Oregon for free for any mediation involving eight or more hours in prep and attendance time. Travel is subject to weather concerns and Covid-19 issues.

### **Mediation Terms**

#### **Confidentiality**

The parties agree that ORS 36.220 governs the confidentiality of the mediation and agree that the mediation itself is confidential. The parties further agree that the mediator will not be required to testify about the mediation, unless the parties and the mediator agree otherwise.

#### **Mediator's Role**

Mr. Lachenmeier believes that the mediation belongs to the parties and will mediate initially as a facilitator but will gladly become evaluative when requested or when he feels it necessary to move the mediation forward. While he may express his thoughts on the law, the parties agree that they are relying solely on their own counsel's interpretation of the law.

#### **Attendance by Decision Makers**

A decision maker with adequate authority should be physically present if at all possible, and if that is not possible all other parties have to be notified of the limitation and must agree to allow a decision maker to appear by phone.

#### **Submissions**

Because this is your mediation you decide what to submit. However, assessing the strengths and weaknesses of both your case and your opponent's is often useful. Submissions, however, are due four workdays in advance of the mediation, if possible, and all timely submitted submissions will be read including any suggested key cases.

It is also this mediator's practice to call each side a few days before the mediation to find out if there are issues that you did not wish to put in writing, and your views on what you think the mediator can do to maximize the chances of settlement being reached.