

## DISPUTE RESOLUTION FEE SCHEDULE

Rose Dispute Resolution\* offers several scheduling options for mediations, mediation-arbitrations (med-arb) and regular arbitrations of a variety of Ontario civil disputes, emphasizing convenience for lawyers and their clients, as well as self-represented litigants\*\*. We offer flexible start times for both full- and half-day mediations and arbitration hearings depending on participants' needs. Some evenings and weekends are also available upon request.

We primarily conduct virtual mediations and arbitration hearings by videoconference. Zoom is the platform standard at Rose Dispute Resolution, but other platforms such as Microsoft Teams may be used on request when booking (two weeks' notice) in advance of the mediation.

In-person or "hybrid" (part in-person/part virtual) mediations and hearings are also available. In-person mediations and hearings are typically held at court reporting offices throughout Ontario.

Fees are based on the dispute type, number of sides, whether virtual or in person, and other factors.

### Fee Schedule for Mitchell Rose, Rose Dispute Resolution

(rates shown are for two-side mediations, med-arbs and regular arbitrations held during business hours, M-F)

#### Virtual Mediation

**Per Day** – \$3,600, for a two-side mediation

Includes: pre-mediation conference call, one hour of preparation, up to seven hours of mediation, and up to one half-hour of post-mediation follow-up—if requested by the parties.

**Per Half Day** – \$2,100, for a two-side mediation

Includes: pre-mediation conference call, one hour of preparation, up to three hours of mediation, and up to one half-hour of post-mediation follow-up—if requested by the parties

#### In-Person or Hybrid Mediation

**Per Day** – \$4,100, for a two-side mediation

Includes: pre-mediation conference call, all travel time within the GTA\*\*\*, one hour of preparation, and up to six hours of mediation.

**Per Half Day** – \$2,500, for a two-side mediation

Includes: pre-mediation conference call, all travel time within the GTA\*\*\*, one hour of preparation, and up to three hours of mediation

#### Med-Arb and Arbitration:

\$450 per hour for all time spent, including virtual mediations, award writing and hearings (plus an additional \$400 per day for in-person attendances)

#### Fees for Small Claims Court and Human Rights Tribunal of Ontario ("HRTTO") Virtual Mediations:

Where the dispute is or will be within the proper jurisdiction of the Small Claims Court or the HRTTO (where the amount claimed by the applicant is \$50,000 or less), the final determination of which will be made by the mediator:

**Per Half Day** (for virtual mediation only) – \$1,500, for a two-side, virtual mediation

Includes: One hour of preparation, and up to three hours of mediation

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### Additional Charges

1. Each additional side of a dispute for any mediation is \$300.
2. Any time spent in excess of the scheduled *virtual* mediation time booked, or preparation time beyond one half hour at the rate of \$475 per hour.
3. Any time spent in excess of the scheduled *in-person or hybrid* mediation time booked, or preparation time beyond one hour at the rate of \$500 per hour.
4. An extra flat fee of \$400 may be applied for any weekend, holiday or mediations with a 5 PM or later start.
5. Travel outside of the GTA (as defined below<sup>\*\*\*</sup>): the cost will be determined based on distance and mediation time requested.
6. For med-arbs and arbitrations, and for mediations where a party is not represented by a member of the Law Society of Ontario, then a retainer/deposit will be requested in advance.
7. Should third-party meeting room procurement and reporters be requested of Rose Dispute Resolution, the room rental and reporter fees will be the responsibility of the parties.
8. Any applicable cancellation fees (see below).
9. Applicable HST is additional.

### Terms of Payment

After the mediation has concluded, Mitchell Rose Professional Corporation (o/a Rose Dispute Resolution) will send an invoice inclusive of fees and any disbursements, along with applicable taxes, which is *due and payable upon receipt*. Any costs will be billed to and are due from each side and their own lawyers split equally (unless the parties have agreed with the mediator in writing to a different split). The contract to retain our services and stipulating terms of payment is entered into via a Mediation Agreement signed in advance of the mediation. For med-arbs and arbitrations, interim invoices will be issued on a regular basis, which are due and payable on receipt. Further details are contained within individual med-arb and arbitration agreements which are signed at the outset of a matter.

### Cancellation and Postponement

Cancellation fees apply when a Mediation is cancelled or rescheduled as follows:

- after the pre-mediation call with counsel, but prior to 72 hours of the scheduled Mediation date: \$700.00 for a half-day mediation, \$1,200.00 for a full-day, and any disbursements incurred, plus HST
- within 72 hours of the scheduled Mediation date: 50% of the half-day or full-day mediation fee, and any disbursements incurred, plus HST
- within 24 hours of the scheduled date: 100% of the half-day or full-day mediation fee, and any disbursements incurred, plus HST

The cancellation fee will be charged to all Parties (and respective Lawyers) regardless of who sought or caused the cancellation or rescheduling (other than the Mediator) unless the Parties agree otherwise prior to the issuance of the Mediator's invoice for the cancellation fee. However, if the Mediator cancels or reschedules the Mediation, then no cancellation fee shall be charged.

Cancellation fees for med-arbs and arbitrations vary by agreement.

For fees or charges specific to your case, [please contact our office](#).

\*Mediation and arbitration services are provided by Mitchell Rose Professional Corporation ("MRPC"). Rose Dispute Resolution is a division of MRPC.

\*\*Regular mediation and arbitration services are available to self-represented parties. Med-arb services are only available at this time to parties represented by Ontario lawyers or paralegals.

\*\*\*GTA = Toronto, York Region, Brampton, Mississauga, and Pickering.