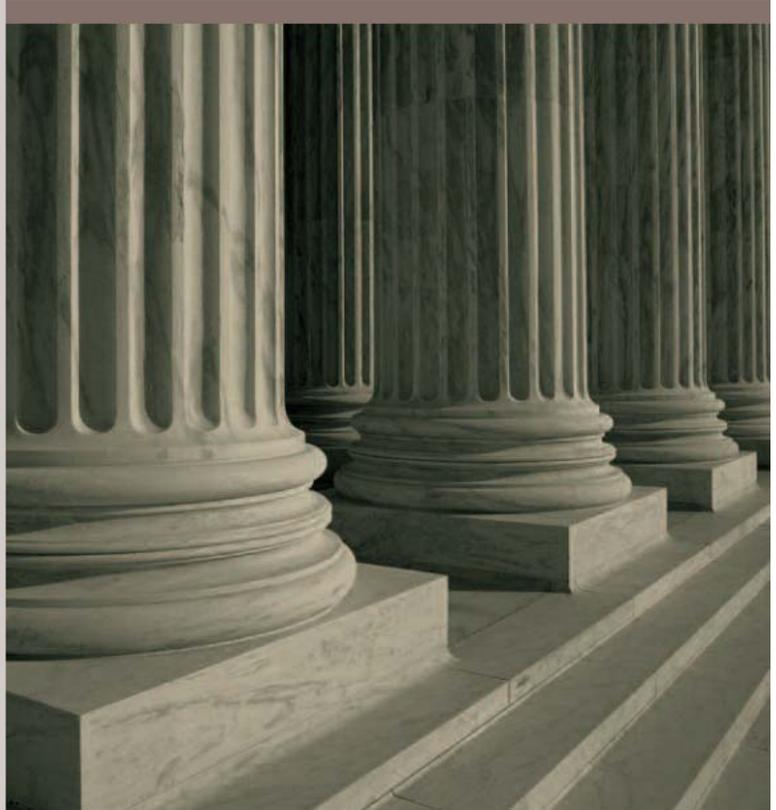


# Date visted 3/4/13



## FEE SCHEDULE TO CODE OF PROCEDURE



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# Date visted 3/4/13

NATIONAL ARBITRATION FORUM

## Fee Schedule

This Fee Schedule governs Arbitrations filed with the Forum under the National Arbitration Forum [NAF] Code of Procedure. NAF Rules 44 and 45 and other NAF Rules govern fees.

Payment of Fees may be made by cash, personal or business check, bank credit (credit or debit card or other line of credit), or other payment arrangements made in advance of filing. The failure of payment may result in delays of a case or other sanctions as provided in the Code of Procedure.

There are two separate Fee Schedules:

### **COMMON CLAIM FEES:**

This Schedule governs all Arbitrations with a Claim Amount of less than \$75,000.

### **LARGE CLAIM ARBITRATION FEES:**

This Schedule governs all Arbitrations with a Claim Amount of \$75,000 or more.

Questions? Need help with the Fee Schedules? Contact the Forum or your Case Coordinator:

P.O. Box 50191  
Minneapolis, MN USA 55405-0191  
800-474-2371  
info@adrforum.com  
www.adrforum.com

## Fees for Common Claims

*(Claims less than \$75,000)*

**Filing Fee:** The fee paid by the Claimant for filing a Claim.

**Commencement Fee:** The fee assessed when the arbitration is commenced under Rule 10B.

**Administrative Fee:** The fee assessed by the Forum for its case work and the fee for a Document Hearing.

**Participatory Hearing Fee:** The fee for the Arbitrator(s) services in a Participatory Hearing.

The Administrative and Participatory Hearing Fees include the Arbitrator fees.

Claim Amount	Filing Fee	Commencement Fee	Administrative Fee	Participatory Hearing Session Fee*
\$1,500 or less	\$19	\$23	\$200	\$125
\$1,501-3,500	\$29	\$31	\$225	\$175
\$3,501-8,000	\$37	\$38	\$300	\$225
\$8,001-13,000	\$39	\$41	\$400	\$325
\$13,001-19,000	\$49	\$52	\$600	\$425
\$19,001-35,000	\$62	\$63	\$700	\$525
\$35,001-55,000	\$112	\$113	\$975	\$775
\$55,001-74,999	\$242	\$243	\$1025	\$975

\*Participatory Hearing Sessions: This fee is in addition to the Administrative Fee. Claim Amounts above \$35,000 include a 180 minute session. For matters below \$35,000, see NAF Rule 34 for the length of each session.

**Multi-Party Hearing:** The above fees include two-party Hearings involving one Claimant and one Respondent. Additional fees determined by the Forum may be assessed for each additional Party.

**Non-Monetary, Injunctive and Declaratory Relief:** The Fees for any Claim involving injunctive or declaratory relief valued up to \$74,999 are the same as the fees for Claim Amounts valued at \$74,999.

**Consumer Claimants:** A Consumer Claimant pays the Filing Fee and one-half the fee for a Participatory Hearing selected by the Consumer up to a total of \$250 (two hundred fifty dollars), unless otherwise provided by agreement of the Parties or by applicable law. A Business Respondent pays the Commencement and Administrative Fees and the fee for a Participatory Hearing if selected by the Business Respondent, or, if selected by the Consumer, the amount of the Participatory Hearing Fee that remains unpaid after the Consumer Claimant has paid the Consumer's portion of the Participatory Hearing Fee.

**Consumer Respondents:** A Consumer Respondent pays one-half of the fee for a Participatory Hearing if selected by the Consumer Respondent up to a maximum of \$250 (two hundred fifty dollars), unless otherwise provided by agreement of the Parties or by applicable law. A Business Claimant pays the amount of the Participatory Hearing Fee that remains unpaid after the Consumer Respondent has paid the Consumer's portion of the Participatory Hearing Fee.

**Other Claimants and Respondents:** A Claimant pays the Filing, Commencement, and Administrative Fees, and the fee for a Participatory Hearing selected by the Claimant. The Respondent pays the fee for a Participatory Hearing if selected by the Respondent.

**Administrative Fee:** Fifty dollars (\$50) of the Administrative Fee is to be paid to the Forum at the time the Response is filed and the remaining amount is to be paid forty-five (45) days thereafter. The fee for a Document Hearing is included in the Administrative Fee.

**Expedited Hearing Fee:** There is a Fee of \$500 (five hundred dollars) for an Expedited Document Hearing and \$1,000 (one thousand dollars) for an Expedited Participatory Hearing in addition to applicable administrative and hearing fees.

**Request Fees:** There are no fees for Requests that are timely filed within the time period established in the Scheduling Notice. Any Request, excluding a Request for Expedited Relief or for a Dispositive Order, made by any Party during the case within the time period established in the Scheduling Notice will be processed without the assessment of a Request Fee. A Party who files a Request after the time period established in the Scheduling Notice shall pay the late Request Fee as listed below.

**Objection Fees:** An Objection Fee is assessed if an Objection is filed to a Request. In Consumer cases, the Party other than a Consumer pays the Objection Fee; an Objecting Consumer Party pays a \$20 Processing Fee and does not pay the Objection Fee. For all other cases, the objecting Party pays the Objection Fee. The Objection Fees are listed below. An Arbitrator, or the Forum, as provided by the Code of Procedure, will decide Requests without Objections.

### LATE REQUEST FEES FOR COMMON CLAIMS

*These fees apply to late Requests filed after the time period established in the Scheduling Notice has ended. There is*

*no fee for Non-Dispositive Requests filed within the time period established in the Scheduling Notice. The Requesting Party pays the late Request Fee.*

**\$50 Fee**  
Request for Time Extension  
Request for Stay  
Request for Subpoena  
Request for Amendment

**\$100 Fee**  
Request for Non-Dispositive Order

**\$250 Fee**  
Request for Discovery Order  
Request for Dispositive Order  
Request for Value of Non-Monetary Relief

### REQUEST FEES FOR COMMON CLAIMS APPLICABLE ANYTIME DURING A CASE

*These fees apply to the following requests filed anytime during a case.*

**\$50 Fee**  
Request for Adjournment

**\$250 Fee**  
Request for Expedited Relief  
Request for Reopening or Reconsideration

### OBJECTION FEES FOR COMMON CLAIMS

*These fees apply to all Objections.*

**\$20 Processing Fee**  
Processing Fee Paid by Consumer Party filing an Objection  
(No other fee is paid by the Consumer)

**\$100 Fee**  
Objection to Time Extension Request  
Objection to Stay Request  
Objection to Adjournment Request  
Objection to Amendment Request

Objection to Subpoena Request  
 Objection to Reopening or Reconsideration Request

#### **\$250 Fee**

Objection to Non-Dispositive Request  
 Objection to Expedited Relief Request  
 Objection to Value of Non-Monetary Relief Request

#### **\$500 Fee**

Objection to Discovery Order Request  
 Objection to Dispositive Request

### **OTHER COMMON CLAIM FEES**

#### **Request for Dispositive Order Fee:**

fee may be assessed for a Dispositive Request made within the time period of the Scheduling Notice in an amount not greater than the Administrative Fee.

#### **Post-Hearing Memorandum Fee:**

A Consumer Party who receives permission from the Arbitrator to submit a Post-Hearing Memorandum pays \$100 (one hundred dollars). All other Parties who receive permission from the Arbitrator to submit a Post-Hearing Memorandum pay a \$250 (two hundred fifty dollar) fee. See NAF Rule 34G.

**Findings and Conclusions Fees:** The fees for written findings of fact, conclusions of law or reasons for the Award in a Common Claim case are:

\$3,500 or less	\$200
\$3,501–13,000	\$300
\$13,001–35,000	\$400
\$35,001–55,000	\$500
\$55,001–74,999	\$750

The above fees are paid as follows:

A Party obligated to pay fees for a Consumer pays the entire fee where an Arbitration

Agreement with a Consumer Party requires written findings of fact, conclusions of law or reasons for an Award.

A Consumer Party pays \$100 (one hundred dollars) and the Party obligated to pay fees for a Consumer pays the remaining portion where an Arbitration Agreement does not provide for written findings, conclusions or reasons and a Consumer Party requests such an Award.

A Non-Consumer Party pays the entire fee where such Party requests an Award with written findings, conclusions or reasons for the Award.

**Determination of Other Fees:** The Forum establishes all other fees. Parties may obtain the amount of a fee by contacting the Forum.

**Prepayment of Fees:** The Forum may require a Party or Parties to pay in advance for Common Claim fees. This deposit shall be used for fees incurred by the Party in a case and any unused portion of the deposit shall be promptly refunded to the Party after the case is over. An arbitration may not proceed unless fees have been prepaid.

**Maximum Fees:** Other than fees assessed for Requests administered under Rule 19 of the Code of Procedure, the fees assessed to a Party on a case will not exceed \$2500, absent extraordinary circumstances as determined by the Forum.

#### **Cancelled or Rescheduled Hearings:**

A Party may seek a partial refund of a Participatory Hearing Fee if the Party withdraws the demand for the Hearing at least fifteen (15) days before the Hearing. Additional fees may be assessed for rescheduled Hearings.

**Questions? Need Help?** Any Party who has questions or needs help in filing or responding to a claim may contact the Forum Help Line by calling (800) 474.2371, ext. 4357 [H-E-L-P] or by reaching us at:

P.O. Box 50191  
Minneapolis, MN USA 55405-0191  
800-474-2371  
info@adrforum.com  
www.adrforum.com

## Fees for Large Claims

*(Claims \$75,000 or more)*

**Filing Fee:** The fee paid by the Claimant for filing a Claim.

**Commencement Fee:** The fee assessed when the arbitration is commenced under Rule 10B. The Claimant pays the Commencement Fee, unless otherwise provided by the agreement of the Parties or the law.

**Administrative Fee:** The fee assessed by the Forum for its case work.

**Hearing Fee:** The fee for the Arbitrator(s) services.

Claim Amount	Filing Fee	Commencement Fee	Administrative Fee
\$75,000 125,000	\$300	\$300	\$500
\$125,001 250,000	\$400	\$400	\$750
\$250,001 500,000	\$500	\$500	\$1,000
\$500,001 1,000,000	\$1,000	\$1,000	\$1,250
\$1,000,001 5,000,000	\$1,750	\$1,750	\$1,500

Above \$5,000,000: Contact Forum for fees.

**Multi-Party Hearing:** The above fees include two-party Hearings involving one Claimant and one Respondent. Additional fees determined by the Forum may be assessed for each additional party.

**Hearing/Arbitrator Fees:** The fee for the hearing and all other work done by an Arbitrator is billed at the hourly rate of the Arbitrator times the hours or portions of

COMMON CLAIM FEES

LARGE CLAIM FEES

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hours worked. A Party that Requests a Hearing shall pay the Fees associated with the Hearing, unless otherwise provided by agreement of the Parties or required by applicable law.

### Expedited Hearing Fee:

For Claim Amounts of \$75,000 to \$1,000,000, there is a fee of \$500 (five hundred dollars) for an Expedited Document Hearing and \$1,000 (one thousand dollars) for an Expedited Participatory Hearing in addition to applicable administrative and hearing fees. The Forum may assess a higher fee.

For Claim Amounts of \$1,000,001 and over, there is a fee of \$2,000 (two thousand dollars) for an Expedited Document Hearing and \$4,000 (four thousand dollars) for an Expedited Participatory Hearing in addition to applicable administrative and hearing fees. The Forum may assess a higher fee.

**Requests to Forum:** A Party who files a Request that is to be determined by the Forum as provided in the Code of Procedure pays a \$150 Request Fee, and a Party who files an Objection to the Request pays \$100 as an Objection Fee, unless otherwise provided by the Code of Procedure, the agreement of the Parties or applicable law. Requests include Requests for a Stay or Time Extension and all other requests decided by the Forum.

**Requests to Arbitrator:** A Party who files a Request for an Adjournment or Time Extension shall pay a fee of \$100; and a Party who files an Objection to either of these two requests shall pay a fee of \$50. The fees for other Requests shall be billed at the hourly rate of the Arbitrator times the hours or portions of hours worked plus any

additional Forum administrative fees for work involved in submitting the matter to the Arbitrator. A Party that submits the Request shall pay the Fees associated with the matter unless otherwise provided by the agreement of the Parties or required by applicable law. A Party that submits an Objection may pay the fees associated with the Objection as determined by the Forum or Arbitrator.

**Prepayment of Fees:** The Forum may require a Party or Parties to pay in advance for Large Claim fees. This deposit shall be used for fees incurred by the Party in a case and any unused portion of the deposit shall be promptly refunded to the Party after the case is over. An arbitration may not proceed unless fees have been prepaid.

**Findings and Conclusions:** Where an Arbitration Agreement requires written findings of fact, conclusions of law or reasons for the Award, the Parties shall equally split the fee for this work. Where a Party requests written findings of fact, conclusions of law or reasons for the Award, the requesting Party shall pay the fee.

**Determination of Other Fees:** The Forum establishes all other fees. Parties may obtain the amount of a fee by contacting the Forum.

**Cancelled or Rescheduled Hearings:** A Party may seek a partial refund of a Hearing fee if the Party withdraws the demand for the Hearing at least fifteen (15) days before the Hearing. Additional fees may be assessed for rescheduled Hearings.

**Consumer Party:** A Consumer Party may not have to pay fees. NAF Rule 44G allows a Consumer Party to request that another Party pay the fees or to seek another remedy.

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**Respondent Party:** NAF Rule 44H allows a Respondent Party obligated to pay fees for a Consumer Party to challenge the Claim Amount.

**Questions? Need help?** Any Party who has questions or needs help in filing or responding to a Claim may contact the Forum Help Line by calling (800) 474.2371, ext. 4357 [H-E-L-P] or by reaching us at:

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LARGE CLAIM FEES