

CRITERIA USED TO DETERMINE MEDIATION FEES ART. 15-16 OF THE MEDIATION RULES AND REGULATIONS OF MEDIAMO ADR S.R.L

MEDIATION FEES (art.16 of the Minister's Decree N180/2010, as per the amendment of the Minister's Decree N139/2014).

The payment for mediation covered by the clients is called mediation fees. These payments are divided into categories: the fee of initiating the mediation procedure and the fee of the mediation itself. For conflicts whose value does not exceed 250.000 euros, the fee of initiating the mediation equals 40.00 euros, payable by each party in order to hold the first meeting. For those whose value exceeds this sum, the initial fee is 80,00 euros. These fees are to be covered by all the involved parties, independently of the result of the first programming meeting. The initial fee does not include administrative expenses and is covered by the party initiating the mediation when filing the mediation request and by those parties who are invited to participate in the mediation at the moment when they express their agreement to take part in it. Mediation fees are determined depending on the value of the conflict. Please, see the related table in Appendix A of these Rules and Regulations. They include administration costs and the mediator's fee. The fees always remain the same, even if the mediator changes throughout the mediation, or a mediation board is authorized to oversee the case, or one or more support mediators are appointed, or in case a different mediator is chosen for the preparation of the conciliatory proposal. Regarding the payment of the fees, one party, independently of how many members it comprises, represents one centre of interest. The fees are to be paid by each party that agrees to take part in the mediation. The maximum fee for each amount of conflict value, specified in the attached table, a) can be increased by no more than 20%, given a particular level of importance, difficulty and complexity of the case; b) shall be increased by no more than 25% in case the mediation is concluded successfully; c) shall be increased by 20% in case the mediator makes a conciliatory proposal; d) is decreased by 1/3 in cases described in Art.5, paragraph 1 of the Legislative Decree 28/2010 for the first six value groups, and by ½ for the rest of the groups except for cases specified in the letter e) of this paragraph, and no increase mentioned above is made in these cases except in those mentioned in the letter b) of this paragraph; e) the fee shall be reduced to 40,00 euros for the first conflict value group and to 50,00 euros for the rest of the groups. Still in case no other party but the one that initiated the mediation participates in it, letter c) applies.

The minimum fee related to the first value group can be determined freely. Under no circumstances can fees of different value groups be added on top of one another. Mediation fees are to be covered by the clients in the following way: 50% of the amount due has to be transferred to the organization before the first mediation meeting, while the remaining 50% right before the preparation of the final Act of Conclusion. This applies to all participants in the attempt to reach a mediation agreement. The minimum fees of each value group are negotiable. In case mediation represents an obligatory step of a court litigation and one or more parties meet the criteria for state legal aid, in compliance with the Art.76 (L) of the consolidated text of legal provisions and regulations in the field of legal expenses specified in the Presidential Decree N 115 of 30.05.2002, the interested party is exempt from paying the fees to the mediation organization (administration and mediation fees as per Art.16 of the Minister's Decree 180/2010). In relation to this, the interested party shall submit to the mediation organization a special statement in substitution of a sworn affidavit. The statement can be certified by the mediator themselves or any other person who has the power to do so. Should the mediation organization require additional documentation to make sure the party has the right to state aid, the interested party shall submit the

documents (income tax return, tax authority certificate specifying the fact that no tax return was filed by the subject (due to insufficient income) or other documents proving the facts described in the submitted certificate).

CONFLICT VALUE ASSESSMENT:

The value of the conflict that has to be specified in the mediation request is mentioned in the related table in accordance with the Code of Civil Procedure. The party filing a mediation request is responsible for the calculation of this value. In cases when the value is not determined, is impossible to determine or there is a significant discrepancy between the estimates of the parties involved, the organisation estimates the value itself within the limit of 250.000 euros and informs the parties of its decision. In any case if at the end of the mediation the value of the conflict turns out to be different from the initially estimated one, the parties are to cover the mediation fees in accordance with the related value group, except for the situations when the fees can increase or decrease as per the provisions of these Rules and Regulations described above.

APPENDIX A

MEDIATION FEES

(art.17 paragraph 4 of the Legislative Decree of 4th March, 2010, N28 - art. 16 of the Minister's Decree of 18th October, 2010, N180 and all later amendments).

The payment for mediation covered by the clients is called mediation fees. These payments are divided into two categories: the fee of initiating the mediation procedure and the fee of the mediation itself. For conflicts whose value does not exceed 250.000 euros, the fee of initiating the mediation equals 40.00 euros, payable by each party in order to hold the first meeting. For those whose value exceeds this sum, the initial fee is 80,00 euros. These fees are to be covered by all the involved parties, independently of the result of the first programming meeting.

MEDIATION FEES

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1) TABLE OF MEDIATION FEES (IN CASE PARTICIPANTS TAKE A DECISION TO PROCEED WITH MEDIATION):

Conflict value
Fees payable by each party involved

VOLUNTARY
OBLIGATORY

From € 1.000,00 € 65,00 (+ VAT) €43 (+ VAT)
from € 1.001,00 to € 5.000,00 € 130,00 (+ VAT) € 87 (+ VAT)

from € 5.001,00 to € 10.000,00 € 240,00 (+ VAT) € 160 (+ VAT)
from € 10.001,00 to € 25.000,00 € 360,00 (+ VAT) € 240 (+ VAT)
from € 25.001,00 to € 50.000,00 € 600,00 (+ VAT) € 400 (+ VAT)
from € 50.001,00 to € 250.000,00 € 1.000,00 (+ VAT) € 665 (+ VAT)

from € 250.001,00 to € 500.000,00 € 2.000,00 (+ VAT) € 1.000 (+ VAT)
from € 500.001,00 to € 2.500.000,00 € 3.800,00 (+ VAT) € 1.900 (+ VAT)
from € 2.500.001,00 to € 5.000.000,00 € 5.200,00 (+ VAT) € 2.600 (+ VAT)
above € 5.000.000,00 € 9.200,00 (+ VAT) € 4.600 (+ VAT)

1. Mediation is obligatory in cases when an attempt of alternative conflict resolution is a condition of filing a suit to court, as per the art.5 of the Legislative Decree 28/2010 and all later amendments.

2. Regarding the payment of the fees, one party, independently of how many members it comprises, represents one centre of interest.

3. The maximum fee for each amount of conflict value, specified in the attached table, a) can be increased by no more than 20%, given a particular level of importance, difficulty and complexity of the case; b) shall be increased by no more than 25% in case the mediation is concluded successfully; c) shall be increased by 20% in case the mediator makes a conciliatory proposal.