



Table of Costs of Mediation

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TABLE OF CONTENTS

PROVISIONS ON EXPERTS FEES, COSTS, AND EXPENSES OF MED ARB RB 3

INITIAL CONSIDERATIONS: 4

1. REGISTRATION FEE 4

2. ADMINISTRATION FEE 5

3. EXPERT MEDIATOR FEES 5

4. GENERAL PROVISIONS 5

5. EXPENSES 6

6. PAYMENT TO THE EXPERT MEDIATOR 7

8. FEE FOR PROCEDURE OF MEDIATOR CONTESTATION 7

9. INTERPRETATION AND APPLICATION OF THE TABLE 7

10. METHODS OF PAYMENT 7

PROVISIONS ON EXPERTS FEES, COSTS, AND EXPENSES OF MED ARB RB

In compliance with the provisions of Art. 7, p, of the Internal Regulation of Med Arb RB, the following PROVISION ON EXPERTS FEES, COSTS, AND EXPENSES OF MED ARB RB (“Table of Costs”) is hereby established, in force from April 02, 2024, regarding the mediation procedures.

CAUSE VALUE	REGISTRATION FEE*	ADMINISTRATION FEE*	MEDIATOR FEES FIXED IN HOUR*	MINIMUM OF HOURS FIXED FOR THE MEDIATOR
Up to 50,000.00	BRL 350.00	BRL 700.00	BRL 300.00	5 hours
From BRL 50,000.01 to 100,000.00	BRL 500.00	BRL 1,000.00	BRL 300.00	5 hours
From BRL 100,000.01 to 300,000.00	BRL 1,000.00	BRL 2,000.00	BRL 400.00	5 hours
From BRL 300,000.01 to 500,000.00	BRL 1,500.00	BRL 3,000.00	BRL 450.00	5 hours
From BRL 500,000.01 to 1,000,000.00	BRL 2,000.00	BRL 4,000.00	BRL 500.00	5 hours
From BRL 1,000,000.01 to 3,000,000.00	BRL 2,500.00	BRL 5,000.00	BRL 800.00	10 hours
From BRL 3,000,000.01 to 5,000,000.00	BRL 3,000.00	BRL 6,000.00	BRL 800.00	10 hours
From BRL 5,000,000.01 to 10,000,000.00	BRL 3,500.00	BRL 7,000.00	BRL 850.00	10 hours
From BRL 10,000,000.01 to 30,000,000.00	BRL 4,000.00	BRL 8,000.00	BRL 900.00	10 hours
From BRL 30,000,000.01 to 50,000,000.00	BRL 4,500.00	BRL 9,000.00	BRL 1,000.00	20 hours
From BRL 50,000,000.01 to 100,000,000.00	BRL 5,000.00	BRL 10,000.00	BRL 1,100.00	20 hours
From BRL 100,000,000.01 to 300,000,000.00	BRL 6,000.00	BRL 12,000.00	BRL 1,300.00	20 hours
From BRL 300,000,000.01 to 500,000,000.00	BRL 6,500.00	BRL 13,000.00	BRL 1,300.00	20 hours
From BRL 500,000,000.01 to 1,000,000,000.00	BRL 10,000.00	BRL 20,000.00	BRL 1,500.00	20 hours

Above BRL 1,000,000,000.01, A proposal shall be made by Med Arb RB

* values corrected in the table on a periodical basis, at the discretion of Med Arb RB chairmanship, by IPCA or another index that may replace it.

Only the values of the table shall be indexed by IPCA, and the values deposited before Med Arb RB as experts fees, in which it appears as fiduciary, shall not be indexed by IPCA and shall be deposited to the experts in due time when the services are concluded, in the fixed valued deposited by the parties.

INITIAL CONSIDERATIONS:

- a) For the purposes of this table, in the procedures where there are multiple Applicants or Respondents, the values due shall be apportioned between the components of the same side (Applicant side or Respondent side);
- b) Any and all mention to “Applicant” or “Respondent” in this Table of Costs shall be considered as applied to the Applicant side or Respondent side, respectively, in cases with multiple parties. Likewise, “Applicant” or “Respondent” may also be entitled “Plaintiff” or “Defendant”, “Party” or collectively as “Parties”;
- c) The administration fees and the Experts fees shall be calculated based in the value of the cause defined in the administrative phase and shall be fully collected before the execution of the Mediation Commitment, but can be paid in installments, in advance by stages of services provision by the Experts, if a duly justified request is made and provided that authorized by the Med Arb RB Chairman, at his/her discretion, under art. 7, m, of Med Arb RB Internal Regulation;
- d) In case of mediations submitted by the Judiciary branch, under art. 7, m, of Med Arb RB Internal Regulation, provided that authorized by Med Arb RB Chairman, the registration fee may be offset so the payment is made after the performance of the pre-mediation, or this tables of costs may be disregarded, and the values fixed by Court or internal regulation of the corresponding Court of Law are applied;
- e) In case of business recovery, the costs shall be borne by the company under reorganization set forth in the recommendation 58/2021, article 3, paragraph 8 of CNJ.

The costs of a procedure include the registration fee, the administration fee, the expert (mediator) fee and expenses, regulated under the following provisions:

1. REGISTRATION FEE

1.1. The registration fee is the value to be paid so the procedure can be initiated, and it shall be defined according with the estimated value of the dispute, which may be eventually reviewed by the mediator or Med Arb RB Chairman, according with the table of costs and the mediation regulation;

1.2. The party that intends to initiate the procedure shall make the petition with the proof of payment of the registration fee, to be paid by means of platform, or by means of deposit in the current account:

Banco Itaú

Account: 99702-9

Branch: 0061

On behalf of: CÂMARA DE ARBITRAGEM MEDARBRB EMPRESARIAL LTDA,
CNPJ/MF no. 44.089.905/0001-55

1.3. In no event the registration fee is reimbursable.

2. ADMINISTRATION FEE

2.1. The administration fee shall be charged at a ratio of fifty per cent (50%) from each side, observing the exceptions mentioned in considerations d) and e), and in case of no agreement established between the parties, the fee shall be settled at the initiation of the mediation procedure, before the execution of the mediation commitment and in the subsequent opportunities by the Applicant.

2.2. Such administration fee is charged every month.

3. EXPERT MEDIATOR FEES

3.1. The fees are the values that shall be directly transferred to the expert mediator professional who, appointed by the parties or by Med Arb RB, shall act in the mediation procedure;

3.2. After the execution of the mediation commitment, each party shall deposit before the Secretariat of Med Arb RB the amount corresponding to the fees of the expert(s), mediator, and co-mediators, if the case may be, observing the exceptions mentioned in considerations d) and e), and in case of no agreement between the parties, the minimum fees shall be settled in the initiation of the mediation procedure before the execution of the mediation commitment and in the subsequent opportunities by the Applicant.

3.3. No sessions shall be held without the previous deposit of the mediators fees.

4. GENERAL PROVISIONS

4.1. It is recommended that each procedure is performed in at least two (2) sessions. Each session shall last at most one (1) hour, unless otherwise agreed between the mediator and the parties;

4.2. If the appointed mediator is not included in the list of experts of Med Arb RB, an amount corresponding to twenty per cent (20%) shall be accrued in the value of the fees fixed in the table in the administration fee, since his/her curriculum shall be submitted for analysis of the chairmanship and shall demand a greater support of the secretariat.

4.3. The values of international procedures, in case of at least one party with headquarters or domiciled abroad, 10% shall be accrued on the table in force, in the administration fee;

4.4. If during the procedure the economic value of the disputed informed by the parties is identified as lower than the actual economic value assessed based in the elements produced during the procedure, the Med Arb RB Chairman shall make the due correction, and the parties, as the case may be, shall complement the value initially deposited as the registration and administration fee and mediator fees, within three (3) business days from the receipt of the notice submitted to them, under penalty of interruption of the procedure under article 9.5 of the mediation Regulation.

4.5. In procedures which the amount of the cause is undetermined or invaluable, the Med Arb RB Chairman shall define the amount of the Registration and Administration Fees and the experts fees, taking into consideration the complexity of the subject and other circumstances deemed as relevant.

4.6. The invoices for payment of the mediator fees, based in the minimum estimated hours, shall be submitted by Med Arb RB, and the payment shall be made within three (3) business days, and may be extended for up to three (3) days upon request of the Participant. The payment shall be made before the Meeting for execution of the Commitment or term of mediation.

4.7. If the commitment or term of mediation is not executed, the amounts deposited by the Participants as mediator fees and administration fees not used until then shall be returned, observing the minimum hours, if applicable, to the table of costs, owed to the mediator.

4.8. If the commitment or term of mediation is executed, the minimum fees listed in the table shall be ensured to the mediators by the parties, according with the corresponding value of the cause, except in case of judicial mediation with fees defined by the corresponding Court.

4.9. Omitted cases or specific situations shall be analyzed by the Med Arb RB Chairman.

4.10. The amounts indicated in the table above are related to minimum fees, per Mediator, and may be reviewed by mutual agreement between the Participants and the Mediator.

4.11.1. Concurrently to the execution of the term of mediation and whenever required, the mediator shall estimate the number of hours to be incurred, informing such estimation so the secretariat of Med Arb RB can arrange the due provisioning, upon the collection of an amount in accrual.

4.11.2. If the minimum hours of the mediators are exceeded, already deposited, new sessions of mediation may only be held with the advanced provision of the administration fee and the mediator fees.

4.12. The value of the dispute must be defined by the Participants taking into consideration the economic interest discussed in the mediation. If the value of the disputed is not known or in case of conflict, the Med Arb RB Chairman shall define the value of the dispute for purposes of calculation of the administration fee and the mediator fees.

5. EXPENSES

5.1. The fund of expenses corresponds to the provisioning of expenses with the submission of documents, copies, printings, contracting of suppliers for support at meetings, rent of meeting rooms for in-person sessions, travels, accommodation, recording, recording maintenance, among others. The expenses are charged by its cost value without any accrual, except the taxes that may be levied upon its reimbursement.

5.2. The secretariat shall request the Participants to make the previous collection of the estimated expenses until the execution of the term of mediation.

5.2.1. In case of in-person mediation, the values incurred with the room rental, suppliers required to eventual recording, food, among others, shall be provided.

5.3. After the execution of the term of mediation, the secretariat of Med Arb RB may request a new complementation of the fund of expenses.

6. PAYMENT TO THE EXPERT MEDIATOR

6.1. The mediator shall inform Med Arb RB, upon his/her acceptance, the method by which he/she will receive his/her fees and expenses reimbursement.

6.2. In case of receipt by an individual, the Participants shall bear with the corresponding social security burden, or any other tax levied, which shall be collected by Med Arb RB (paying source), the tax authority in charge (Art. 22, I of Law 9.876/99). Likewise, the Participants shall bear with the corresponding taxes and bank charges in case of transfer of values abroad.

6.3. Any and all payment made to the mediator shall only be made by Med Arb RB after the due provision by the Participants and by the fixed value deposited by them, after the service provision.

6.4. In case of contestation of the mediator, for purposes of analysis by the Med Arb RB chairman, under art. 4.4.3. of the Mediation Regulation, he/she shall be entitled to receive a value corresponding the one hour of expert mediator, which shall be collected before the analysis of the request, according with the value of the cause and the table in force.

8. FEE FOR PROCEDURE OF MEDIATOR CONTESTATION

8.1. In case of contestation of the mediator, for purposes of analysis by the Med Arb RB chairman, under art. 4.4.3. of the Mediation Regulation, he/she shall be entitled to receive a value corresponding the one hour of expert mediator, which shall be collected before the analysis of the request, according with the value of the cause and the table in force.

9. INTERPRETATION AND APPLICATION OF THE TABLE

9.1. The Med Arb RB chairman is responsible for settling any questions regarding the interpretation and application of this table.

10. METHODS OF PAYMENT

10.1. The invoicing and payment shall be made by means of deposit in account or at the platform, however, the Financial Department shall be in charge for the issuance of invoices or business invoices for payment of the Mediation Expenses.

10.2. Deposits shall not be accepted, except in cases of specific instructions and/or authorization submitted by Secretariat of Med Arb RB, which shall indicate the corresponding account for the deposit. Authorized deposits shall be recognized by Med Arb RB after the electronic submission of the proofs and its due identification.

10.3. According with the requirements of the bank institutions, the number of the CNPJ (National Register of Legal Entities) or CPF (Individual Taxpayer Registration) is mandatory for the issuance of the bank slip.

10.3.1. For Parties resident abroad and with no CNPJ or CPF number, the invoicing shall be issued considering the international transfer as a method of payment for Med Arb RB.

10.4. In cases of statement of cause value in foreign currency, the conversion for Brazilian Real currency shall be made on the petition date of the procedure in Med Arb RB.



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