

MISSION



MISSION PROPERTY ADVISORS, INC.
8570 CORY COURT
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Rate Sheet As of January 1, 2018

Reasonable & Customary Hourly Fee For Expert Witness Testimony of:	Steven R. Fontes, MAI, CCIM, \$400 per hour, billed in 15 minute increments
Reasonable & Customary Daily Fee For Expert Witness Testimony of:	Steven R. Fontes, MAI, CCIM, \$3,200 Daily Fee¹
Reasonable & Customary Hourly Fee For Expert Witness Testimony of:	Senior Associate Appraisers, \$300 per hour, billed in 15 minute increments
Reasonable & Customary Daily Fee For Expert Witness Testimony of:	Senior Associate Appraisers, \$2,400 Daily Fee
Reasonable & Customary Hourly Fee For Expert Witness Testimony Provided by:	Associate Appraisers, \$250 per hour, billed in 15 minute increments
Reasonable & Customary Daily Fee For Expert Witness Testimony Provided by:	Associate Appraisers, \$2,000 Daily Fee
Testimony Policy	It is the policy of Mission Property Advisors, Inc. that Steven R. Fontes, MAI, CCIM will always be the testifying expert unless the report was co-signed by an Associate or Senior Associate Appraiser and Mr. Fontes is either unavailable or other testimony arrangements are made in writing at the time of engagement.
Appraisal Fees	Quoted separately in the Agreement for Professional Valuation Services at a flat fee
Administrative Rate	\$125 per hour, billed in 15-minute increments
Validity of Fees, Charges & Rates	All fees, charges and rates will remain in effect for a period of 1 year from the date of engagement (defined as the date the client signed the appraisal contract), but are subject to change if called to testify at deposition or trial or hearing beyond one year. In this instance, rates and policies outlined in the Rate Sheet in effect on the date of testimony will apply.
Percipient Witness Testimony	The fees, charges and rates outlined in this Rate Sheet will apply to any and all testimony, even if called as a percipient witness. If deposed as a percipient witness, the appraisal client will be billed at the applicable expert rate noted above, and as further outlined herein, less any costs paid for testimony paid by the court or the party that issued the subpoena.
Tax Appeal Testimony	If testimony is provided at a tax appeal hearing, the appraisal client will be billed at the applicable expert rate noted above, and as further outlined herein.
Preparing for a Deposition	As noted in the California Code of Civil Procedure § 2034.440

¹ Please refer to additional language noted later in the Daily Fee section of this Rate Sheet.

The party designating an expert is responsible for any fee charged by the expert for preparing for a deposition and for traveling to the place of the deposition, as well as for any travel expenses of the expert.

If a subpoena to testify at deposition is received by Steven R. Fontes and/or an Associate or Senior Associate Appraiser, the expert will take the necessary time to review the appraisal report and the appraisal file in advance of providing testimony at deposition. The client or the party responsible for payment will be billed at the applicable expert's reasonable and customary hourly fee. A 1 hour minimum will apply to deposition preparation.

Traveling to the Place of the Deposition

Commuting in Expert's Vehicle All time driving to and from a pre-trial meeting, deposition, trial or airport will be billed at the meeting attendees reasonable and customary hourly fee. Hourly minimums do not apply to commute time, and all time will be rounded to the nearest 15-minute increment.

Airfare When a pre-trial meeting, deposition or trial testimony requires a flight due either to a written request of the client or when such a meeting is to occur at a location that is more than a 3-hour drive (as measured by Google Maps ® or a similar service) from the expert's residence, the client or the party responsible for payment will be billed for the cost of a non-stop round trip flight in Business Class (or its equivalent) accommodations.

All time driving to and from the airport, plus all airport related travel time, including layovers, will be billed at the meeting attendees reasonable and customary hourly fee, with a maximum per travel day charge of 5 hours, including drive time. All time charged will be rounded to the nearest 15 minute increment. A receipt will be provided in support of this expense.

Car Rental When a flight is taken for the purpose of arriving at a pre-trial meeting, deposition or trial, the client or the party responsible for payment may be billed for the cost of a rental car, plus the cost for additional liability and collision insurance, and all taxes and fees, not to exceed \$100 per day (before additional liability and collision insurance, taxes and fees are added). A receipt will be provided in support of this expense.

Taxis When a flight is taken for the purpose of arriving at a pre-trial meeting, deposition or trial, the client or the party responsible for payment may be billed for the cost of a taxi, if, at the sole discretion of the expert, such form of transportation is either more convenient or less expensive than the cost of a rental car. A receipt will be provided in support of this expense.

Subway, Bus or Metro Link If the expert travels to a pre-trial meeting, deposition, trial or airport by subway, bus or Metro Link, the client or the party responsible for payment will be billed at the meeting attendees reasonable and customary hourly fee. Hourly minimums do not apply to commute time, and all time will be rounded to the nearest 15-minute increment. A receipt will be provided in support of this expense.

Travel Expenses of the Expert

Meals When testimony requires an overnight stay due either to a written request of the client or the client's attorney, or when testimony is to occur at a location more than 50 miles distance (as measured by Google Maps ® or a similar service) from the expert's residence, or when a flight is involved, then the client or the party responsible for payment will be billed a flat \$75 per day for meals, including day(s) of travel to and from the pre-trial meeting location, deposition location or trial location.

Lodging When testimony requires an overnight stay due either to a written request of the client or the client's attorney, or when testimony is to occur at a location that cannot be driven to in 3 hours or less, then the client or the party responsible for payment will be billed for the cost of lodging, not to exceed \$200 per night, inclusive of all taxes and hotel fees. A receipt will be provided in support of this expense.

Toll Road Usage If toll roads are used to travel to or from a pre-trial meeting, deposition, trial or airport, the client will be billed a flat \$20 per day of travel on a toll road.

Parking Fees

If non-validated parking costs or fees are incurred, actual costs incurred are subject to reimbursement by the client or the party responsible for payment. A receipt will be provided in support of this expense.

Tips & Gratuities

If the expert chooses to tip or apply a gratuity to any of the travel related expenses noted above, these costs will **not** be passed onto the client or the party responsible for payment.

Deposition Testimony

As noted in the California Code of Civil Procedure § 2034.430(b)

A party desiring to depose an expert witness described in subdivision (a) shall pay the expert's reasonable and customary hourly or daily fee for any time spent at the deposition from the time noticed in the deposition subpoena, or from the time of the arrival of the expert witness should that time be later than the time noticed in the deposition subpoena, until the time the expert witness is dismissed from the deposition, regardless of whether the expert is actually deposed by any party attending the deposition.

The party deposing the expert is responsible for payment for time spent at the deposition, as defined above. A 4 hour per day minimum applies to all depositions. If the deposition is less than 4 hours, and if the deposing party does not pay the expert for a full 4 hours (which is at their discretion), then the client or the party responsible for payment will be billed for the difference between 4 hours and the actual time paid for deposition testimony.

As noted in the California Code of Civil Procedure § 2034.430(c)

If any counsel representing the expert or a non-noticing party is late to the deposition, the expert's reasonable and customary hourly or daily fee for the time period determined from the time noticed in the deposition subpoena until the counsel's late arrival, shall be paid by that tardy counsel.

As noted in the California Code of Civil Procedure § 2034.430(d)

Notwithstanding subdivision (c), the hourly or daily fee charged to the tardy counsel shall not exceed the fee charged to the party who retained the expert, except where the expert donated services to a charitable or other nonprofit organization.

In this instance, the client or the party responsible for payment will be billed for the delay, only if such time is not paid by the deposing party on the date of the deposition, subject to § 2034.430(d) of the California Code of Civil Procedure as noted above.

Daily Fee

As noted in the California Code of Civil Procedure § 2034.430(e)

A daily fee shall only be charged for a full day of attendance at a deposition or where the expert was required by the deposing party to be available for a full day and the expert necessarily had to forgo all business that the expert would otherwise have conducted that day but for the request that the expert be available all day for the scheduled deposition.

For purposes of this engagement, a “full day” or “all day” shall be interpreted to mean approximately 8 hours of the expert’s time in attendance at a deposition (measured as the time noticed in the deposition subpoena, or from the time of the arrival of the expert witness should that time be later than the time noticed in the deposition subpoena, until the time the expert witness is dismissed from the deposition, including the lunch hour and any other breaks taken throughout the day). If the deposing party keeps the expert longer than 8 hours, the client or party responsible for payment will be billed at the expert’s reasonable and customary

hourly fee, unless the deposing party pays for the time in attendance beyond 8 hours, which will be at the deposing parties discretion.

Review of Deposition Transcripts

All time spent reviewing and/or making corrections to the expert's deposition transcript will be billed at the reviewing expert's reasonable and customary hourly fee. A 1 hour minimum will apply.

If the expert is requested in writing by the client or the employing attorney to review another expert's deposition transcript, time will be billed at the reviewing expert's reasonable and customary hourly fee. A 1 hour minimum will apply.

Review of Documents

All time spent reviewing any documents that the client or the employing attorney request in writing to be reviewed will be billed at the reviewing expert's reasonable and customary hourly fee. A 1 hour minimum will apply.

In Person Meetings

**Pre-Deposition,
Pre-Trial or Pre-Hearing**

A 4 hour per day minimum at the expert's reasonable and customary hourly rate applies for all in person pre-deposition, pre-trial or pre-hearing meetings, which shall include round trip drive time.

Telephonic or Virtual Meetings

A 1 hour per day minimum applies for all telephonic conferences or meetings, including virtual on-line meetings that are intended to prepare, update or inform the expert of details specifically relating to an upcoming deposition, trial or hearing.

Verbal Opinions of Value

If the client requests a verbal opinion of value in advance of receiving a hard copy of the appraisal report, it will be provided. However, if the client cancels the appraisal assignment or asks that the hard copies of the appraisal report not be delivered, after receiving a verbal opinion of value, the full appraisal fee will be charged and it will be due and payable within 10 calendar days of the verbal opinion, and no hard copies will be provided to the client.

Shipping Costs

The cost of shipping appraisal reports with the original appraisal order is implicit in the appraisal fee.

If paper copies of any additional materials are requested, actual shipping costs incurred will be billed to the client or the party responsible for payment. A receipt will be provided in support of this expense.

The client or the party responsible for payment always has the option of supplying our office with a pre-paid shipping label to avoid being billed for shipping costs. Such a request must be received in writing or via email (Steven@MissionPropertyAdvisors.com) no later than the day said items are scheduled to be shipped to avoid these charges. Mission Property Advisors, Inc. also recommends that a phone call be placed (951-656-1100) to alert our office of said intent to avoid any confusion or miscommunication.

Additional Report Copies

\$300 per hard paper copy, shipping costs are included
\$100 for a PDF copy sent on a CD, plus shipping costs if *not* sent via US Mail
PDF copies sent via email are FREE to all clients.

Reproduction Costs

Billed on a time and materials basis at the Administrative Rate noted previously.
Receipts will be provided in support of all material costs incurred if reproduced offsite.

If reproduction occurs onsite at our office, black and white pages are billed at \$0.20 per page and color pages are billed at a cost of \$0.60 per page. These costs are inclusive of binding materials, if bound onsite. Electronic media copied to CD's, DVD's, memory stick's or any other form of static electronic media will be billed at \$35 per separate media format.

Payment Due Upon Receipt

All invoices are considered to be due and Payable Upon Receipt.