

MEDICO-LEGAL PRACTICE

Mr Shyamalan is an expert on conditions of the hand, wrist and elbow. He has a NHS and private practice in Solihull, Birmingham, Warwick and Sutton Coldfield.

Terms and Conditions of Engagement

1. Charges for report preparation depend on complexity and length of report and are charged at £450 per hour
2. Hourly rate of £450 per hour applies to all other work. This includes forensic review of late supplied notes, x-rays and answering questions arising because of the report.
3. No charges will be levied for correction of factual inaccuracies within the report.
4. A cancellation fee of £250 will be levied for late cancellation (within 48 hours) or non- attendance. The £500 fee will be charged for a second non-attendance.
5. Instructing solicitors shall pay the total invoice prior to the report being signed, an unsigned report will be sent alongside the invoice.
6. Where late payment is negotiated in advance, an administration charge of 15% of the invoice amount will be levied.
7. Where instructions come in the form of a joint instruction, the invoice will be sent to the instructing solicitor unless otherwise advised.
8. Where the joint instructees subsequently file questions, they will be invoiced directly at the stated hourly rate.
9. The instructing solicitors will be responsible for invoices raised by those providing notes and x-rays used for the report.

ATTENDANCE AT COURT

If the case proceeds to a hearing the Solicitor should:

1. Notify the medical examiner that the case has been set down for hearing and, once the case has been entered in the Warned List, would request a list of dates when the medical examiner is unavailable to attend Court.
2. Not agree to a hearing date on one of the examiner's unavailable dates.
3. Ascertain the fee for attending Court and be able to pay that fee within 6 weeks of the Court attendance.
4. Where appropriate, arrange and attend a conference with Counsel and the medical examiner and other relevant experts prior to the hearing.
5. As soon as the hearing date is known, inform the medical examiner.

TERMS OF COURT ATTENDANCE FEE

1. A rate of £450 per hour will apply to all other work to include preparation for Court and case conferences.
2. Fees for Court attendance is £450 per hour assuming 8 hours in Court per day and 2 hours briefing (£4500 per day). There are additional charges for travel of up to 4 hours per day and accommodation costs if necessary. Cancellation fees are 25% of the total fee if cancelled between 2 and 4 weeks before the date, 50% if cancelled between 1 and 2 weeks and 100% if less than 1 week.
3. All reasonable expenses to be paid, including but not limited to: First Class Rail Travel, Air Travel, Hotel Expenses (4 Star), car mileage at 45 pence per mile, taxi fares.
4. Mr Shyamalan's fees remain payable in full by the instructing party, regardless of assessment or taxation by Court and are not dependent upon the successful outcome of the case.