

ARTICLE I. FEES IN THE TRIAL ARBITRAL TRIBUNAL (“TAT”) OR OTHER NON-APPELLATE TRIBUNAL

A. Base Fees

- (1) If the claimant filing an initiating claim, counterclaim or third party claim does not allege either (a) monetary damages in a liquidated amount as complete relief or (b) include a full and final cash settlement demand, then the Base Fees due from the claimant, after application of the adjustments required by Article V(A), shall include an Administrative Fee of US\$1,000.00 plus an Hourly Fee for arbitral services rendered, invoiced monthly, based on the seniority of the presiding arbiter, with Senior Arbiters billing at US\$250.00 per hour, Arbiters billing at US\$125.00 per hour, and Arbitral Officers billing at US\$50.00 per hour.
- (2) Base Fees due, after application of the adjustments required by Article V(A), from the respective claimant filing an initiating claim, counterclaim or third party claim, which is filed either (a) alleging monetary damages in a liquidated amount as complete relief or (b) with a full and final cash settlement demand, include:

Claim Value	Base Fee
Up to US\$9,999.00	US\$50.00 + 5.0% of the greater of (a) the alleged liquidated amount of monetary damages sufficient for complete relief or (b) the stated cash full settlement demand.
US\$10,000.00-US\$49,999.99	US\$650.00 + 4.5% of the greater of (a) the alleged liquidated amount of monetary damages sufficient for complete relief or (b) the stated cash full settlement demand.
US\$50,000.00-US\$999,999.99	US\$3,500.00 + 3.5% of the greater of (a) the alleged liquidated amount of monetary damages sufficient for complete relief or (b) the stated cash full settlement demand.
US\$1,000,000.00-US\$4,999,999.99	US\$20,000.00 + 2.0% of the greater of (a) the alleged liquidated amount of monetary damages sufficient for complete relief or (b) the stated cash full settlement demand.
US\$5,000,000.00+	US\$45,000.00 + 1.5% of the greater of (a) the alleged liquidated amount of monetary damages sufficient for complete relief or (b) the stated cash full settlement demand.

- (3) The Base Fees specified in Article I(A)(1) and (2), after application of the adjustments required by Article V(A), will cover the costs of filing the initiating notice and pleading for the claim (including all supporting documentary components) and, if required by the applicable Rules governing the arbitral proceeding, services for one Pre-Trial Conference (“PTC”) and one trial/dispositive hearing, to the extent required by the applicable rules.
- (4) The Base Fees, after application of the adjustments required by Article V(A), specified in Article I(A)(1) shall be paid according to the following timelines:
 - (a) 75% of the Administrative Fee shall be paid upon filing the claim;
 - (b) Hourly Fee amounts due for services rendered by Senior Arbiters, Arbiters and Arbitral Officers shall be paid within 5 business days of issuance of monthly invoices;

- (c) Unless the case is first privately settled, the next 15% of the Administrative Fee shall be paid within 10 days from the date of scheduling the PTC, if any (the “**PTC Portion**”) (in the event of prior settlement, the PTC Portion will be waived if notice is given before its scheduled date); and
 - (d) Unless the case is first privately settled, the final 10% of the Administrative Fee (or 25% if no PTC Portion had been paid) shall be paid within 10 days from the date of scheduling the Trial (the “**Trial Portion**”) (in the event of prior settlement, the Trial Portion will be waived if notice is given before its scheduled date).
- (5) The Base Fees specified in Article I(A)(2) shall be paid, after application of the adjustments required by Article V(A), according to the following timelines:
- (e) 35% of the relevant fee shall be paid upon filing the claim;
 - (f) Unless the case is privately settled, the next 35% of the relevant fee shall be paid within 10 days from the date of scheduling the PTC, if any (the “**PTC Portion**”) (in the event of prior settlement, the PTC Portion will be waived if notice is given before its scheduled date); and
 - (g) Unless the case is privately settled, the final 30% of the relevant fee (or 65% if no PTC Portion had been paid) shall be paid within 10 days from the date of scheduling the Trial (the “**Trial Portion**”) (in the event of prior settlement, the Trial Portion will be waived if notice is given before its scheduled date).

ARTICLE II. FEES IN THE ARBITRAL TRIBUNAL OF APPEALS (“ATA”)

A. Notice of Appeal

The Base Fee for filing a Notice of Appeal shall be the greater of US\$1,250.00 or 5% of the total amount of fees owing from all parties to the underlying proceeding in the trial arbitral tribunal, which amount shall be disclosed on request by the Administrator. The payment of such Base Fee shall be made accordingly after application of the adjustments required by Article V(A).

B. Opening Briefs

The Base Fee for all appellate parties to file an opening or response brief and supporting record as authorized or required by the applicable rules shall be the greater of US\$250.00 or 1.0% of the total amount of fees owing from all parties to the underlying proceeding. The payment of such Base Fee shall be made accordingly after application of the adjustments required by Article V(A).

ARTICLE III. OTHER PROCEEDINGS AND FILINGS

A. Non-Dispositive Motions

- (1) The Base Fee for non-dispositive motions to be decided without any request or demand for a hearing: (a) motion supported by up to 10 page briefing: US\$50.00 paid by the movant after application of the adjustments required by Article V(A); and (b) motion supported by more than 10 page briefing: US\$75.00 plus US\$25.00 per each page above 10 pages paid by movant after application of the adjustments required by Article V(A).
- (2) The Base Fee for non-dispositive motions to be decided with an oral hearing: (a) motion supported by up to 10 page briefing: US\$150.00 paid by the movant after application of the adjustments required by Article V(A), plus US\$100.00 per hour of hearing time, paid, after application of the adjustments required by Article V(A), by the party requesting the hearing or by all parties jointly and severally if a hearing is required by the arbitral tribunal in the interest of justice; and (b) motion supported by more than 10 page briefing:

US\$200.00 plus US\$25.00 per each page above 10 pages paid plus US\$150.00 per hour of hearing time, paid, after application of the adjustments required by Article V(A), by the party requesting the hearing or by all parties jointly and severally if a hearing is required by the arbitral tribunal in the interest of justice.

B. Dispositive Motions

- (1) The Base Fee for dispositive motions to be decided without any request or demand for a hearing: (a) motion supported by up to 10 page briefing: US\$75.00 paid by the movant after application of the adjustments required by Article V(A); and (b) motion supported by more than 10 page briefing: US\$150.00 plus US\$50.00 per each page above 10 pages paid by movant after application of the adjustments required by Article V(A).
- (2) The Base Fee for dispositive motions to be decided with an oral hearing: (a) motion supported by up to 10 page briefing: US\$150.00 paid by the movant, plus US\$150.00 per hour of hearing time, paid, after application of the adjustments required by Article V(A), by the party requesting the hearing or by all parties jointly and severally if a hearing is required by the arbitral tribunal in the interest of justice; and (b) motion supported by more than 10 page briefing: US\$200.00 plus US\$50.00 per each page above 10 pages paid by movant, plus US\$200.00 per hour of hearing time, paid, after application of the adjustments required by Article V(A), by the party requesting the hearing or by all parties jointly and severally if a hearing is required by the arbitral tribunal in the interest of justice.

C. Hearing fees

The following Base Fees will be applicable in the event that the hearing fee is not already encompassed within another fee chargeable at the time of filing, paid by the party requesting the hearing or by all parties jointly and severally if a hearing is required by the arbitral tribunal in the interest of justice, after application of the adjustments required by Article V(A):

- (1) The Base Fee for a hearing of up to one day shall be US\$500.00.
- (2) The Base Fee for each half-day of a hearing after the first day shall be US\$250.00.

D. Other Filings and Certifications

- (1) The Base Fee for any certification is US\$10.00 for the first 10 pages and US\$2.00 for each subsequent page of the certified document, paid, after application of the adjustments required by Article V(A), by the filer or party seeking certification.
- (2) The Base Fee for photocopies of documents shall be US\$2.00 for the first page and US\$1.00 for each subsequent page, paid, after application of the adjustments required by Article V(A), by the person requesting photocopies.

E. Late filing fees

A late filing Base Fee of US\$100.00 may be charged to the responsible party or filer, after application of the adjustments required by Article V(A), for every day that a document(s) to be filed pursuant to a Rule, Direction or Order of the Arbitral Tribunal is filed late with the Arbitral Tribunal.

F. Issuing of amended orders/sealed documents

Where an amended order or sealed document must be issued due to an error on the form resulting from an error or misrepresentation made by a party, a Base Fee of US\$150.00 will be charged by the Administrator to that party, after application of the adjustments required by Article V(A), for

the issuing of a new Order, in addition to any sanctions which may be imposed under the governing arbitral Rules.

ARTICLE IV. SUPPLEMENTARY PROCEEDINGS - ENFORCEMENT (“ENF”)

A. Supplementary Proceedings - Enforcement of Arbitral Awards or Orders

The Base Fee to initiate a Supplementary Proceeding to enforce Arbitral Awards or Orders shall be US\$100.00 paid by the filer after application of the adjustments required by Article V(A); this is in addition to any other fee which may be required above for equivalent proceedings or filings during a Supplementary Proceeding.

B. Confirmation/Enforcement of Non-PAC Judgments, Awards or Orders

Assuming the PAC has jurisdiction over the parties, the Base Fee to initiate a proceeding for confirming or enforcing judgments, awards or orders made outside of the PAC shall be 1% of the value of the judgment, award or order, with a minimum of US\$750.00 and capped at US\$5,000.00 paid by the filer after application of the adjustments required by Article V(A); this is in addition to any other fee which may be required above.

C. All other enforcement applications

The Base Fee for any other enforcement application shall be US\$300.00 paid by the applicant after application of the adjustments required by Article V(A); this is in addition to any other fee which may be required above.

ARTICLE V. MISCELLANEOUS

A. Adjustments to Base Fees

The below adjustments shall be made to adjust liability for the Base Fees identified elsewhere in this fee schedule. The applicable adjustments shall be determined and fixed by the Administrator at initial case intake. Each applicable adjustment shall be applied to the relevant Base Fee in a cumulative fashion if a claimant falls into multiple categories. The Base Fee should be calculated first; then the adjustments should be summed; then the net adjustment should be multiplied against the Base Fee; and the resulting amount, if negative, subtracted from the Base Fee, or, if positive, added to the Base Fee.

Cause for Adjustment	Adjustment
Próspera Limited e-Resident (Natural Person)	-55%
Próspera e-Resident (Natural Person)	-60%
Próspera Resident (Natural Person)	-70%
Próspera Limited e-Resident (Legal Entity)	-30%
Próspera e-Resident (Legal Entity)	-35%
Próspera Resident (Legal Entity)	-50%
Próspera Regulated Person (Natural Person) (Agricultural Industry, Construction Industry, or Food Industry that directly or indirectly through affiliates related by majority ownership or control either (A) employs at least ten (10) employees or contractors; or (B) has annual gross revenues with a value of at least US\$1,000,000.00)	+10%
Próspera Regulated Person (Legal Entity) (Agricultural Industry, Construction Industry, or Food Industry that directly or indirectly through affiliates related by majority ownership or control either (A) employs at least ten	+15%

(10) employees or contractors; or (B) has annual gross revenues with a value of at least US\$1,000,000.00)	
Other Próspera Regulated Person (Natural Person) (Finance and Insurance Industry Health Industry, Energy Industry, Manufacturing Industry, Mining and Subsurface Industry, Private Security Industry, or Waste Management Industry)	+20%
Other Próspera Regulated Person (Legal Entity) (Finance and Insurance Industry Health Industry, Energy Industry, Manufacturing Industry, Mining and Subsurface Industry, Private Security Industry, or Waste Management Industry)	+25%
Honduran Citizen - Not a Próspera (Limited)(e)Resident	-40%
Honduran Legal Entity - Not a Próspera (Limited)(e)Resident	-25%
Natural Person/Legal Entity Domiciled in Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Ireland, Hong Kong, Israel, Japan, South Korea, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Singapore, Switzerland, United Kingdom, or United States of America	+15%
All Other Natural Persons/Legal Entities	0%
Privacy Surcharge (to render arbitral proceeding private and non-precedential - only Applicable to Próspera (e)Residents)	+50%
Mediation (Proceeding is brought pursuant to Mediation Rules of the Private Alternative Dispute Resolution Rules)	-35%
Expedited Procedures (Proceeding is brought pursuant to the Expedited Procedures of the Private Alternative Dispute Resolution Rules)	-25%
Labor Dispute (Proceeding is brought as a labor dispute pursuant to the Rules of the Small Claims and Special Division)	-10%
Eviction Action (Proceeding is brought as an eviction action pursuant to the Rules of the Small Claims and Special Division)	+5%
Foreclosure Action (Proceeding is brought as a foreclosure action pursuant to the Rules of the Small Claims and Special Division)	+10%
Hazard Dispute (Proceeding is brought as a hazard dispute pursuant to the Rules of the Small Claims and Special Division)	+5%

B. Competitive Fee Override.

Notwithstanding anything to the contrary elsewhere in this fee schedule, in the event that a claimant or respondent demonstrates immediately before initiating a proceeding that a competing dispute resolution service has made a binding offer to handle a proposed proceeding for less than the anticipated adjusted fee under the plain terms of this fee schedule, then the Administrator may in his or her reasonable discretion, after consultation with the Chair of the Standing Competence and Ethics Committee, meet or beat (by up to a 20% discount from otherwise applicable adjusted Base Fees) the competing offer on its stated service terms.

- C. In the event of multiple claimants, unless liability is joint and several, the obligation to pay fees attributable to billable service hours shall be equitably apportioned among the claimants as determined in the reasonable discretion of the Administrator, subject to de novo review on motion by the presiding arbiter.

- D. If the claimant fails to pay any fee when due, the respondent to the relevant claim may instead pay such fee within five (5) days of its original due date.
- E. All fees timely paid by the prevailing party, plus simple interest accrued from the date of such payment at a market rate determined by the Administrator in his or her reasonable discretion, subject to de novo review on motion by the presiding arbiter, shall be equitably taxed as costs to the relevant losing party(ies). In the event of multiple or partially prevailing parties, the taxing of fees as costs shall be equitably apportioned to the relevant losing party(ies) as determined on motion in the reasonable discretion of the presiding arbiter
- F. All of the above-mentioned fees are payable in United States Dollars or the equivalent amount of Lempira (at the conversion rate determined by the Administrator from time to time).
- G. In an effort to promote the most efficient handling of cases and allocation of resources, and in line with the PAC's paperless initiative, parties are encouraged to use the PAC e-filing facility for the filing of arbitral documents.
- H. A 25% surcharge will be added to the applicable fees for any document filed with the Registry for the TAT or the ATA by means other than the e-filing facility.
- I. Applications to the Chair of the Standing Competence and Ethics Committee seeking a fee waiver, suspension, reduction, or clarification shall be free of charge and made by email to legal@pac.hn.
- J. For further information, please visit pac.hn or contact the Administrator at legal@pac.hn.