



# Morgan Lewis

## EMPLOYMENT

# DEFENDING UNFAIR/WRONGFUL DISMISSAL CLAIMS

## FEES (EXCLUDING VAT)

Simple case: £10,000-50,000

Medium complexity case: £50,000-100,000

High complexity case: £100,000-300,000

Factors that could make a case more complex:

- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim
- Defending claims that are brought by litigants in person
- Making or defending a costs application
- Complex preliminary issues such as whether the claimant is disabled (if this is not agreed by the parties)
- The number of witnesses and documents
- If it is an automatic unfair dismissal claim
- Allegations of discrimination which are linked to the dismissal

## VAT

Any figure given by way of estimate, quote, hourly charge rate, or other cost will be exclusive of value-added tax (VAT). Morgan Lewis is generally required by law to charge VAT on fees and on most disbursements at the rate from time to time in force. The current rate of VAT is 20%.

Where any specific transaction is not subject to VAT, the firm will specifically confirm this to you, but unless you receive written confirmation, VAT will be chargeable.

## DISBURSEMENTS

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

The range of fees charged by Counsel will depend on the length and complexity of the hearing but we provide the following as an indication (excluding VAT):

- Simple wrongful or unfair dismissal case, listed for 1 day hearing, instructing junior Counsel of between 3 and 5 years' call - Brief fee range - £750-£1,000
- Medium complexity unfair dismissal case listed for 3 day hearing, instructing junior Counsel of 8 - 12 years' call - Brief fee range - £5,000 - £7,500- Refreshers - £1,500 to £2,000
- High complexity whistleblowing unfair dismissal case listed for 10 day hearing, instructing i) senior junior of 15+ years' call and ii) new QC - Brief fee range - £20,000 - £50,000 Refreshers - £2,500 to £4,500

## KEY STAGES

The fees set out above cover all of the work in relation to the following key stages of a claim:

- Taking your initial instructions, reviewing the papers and advising you on merits and likely compensation (this is likely to be revisited throughout the matter and subject to change)
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached;
- Preparing your response
- Reviewing and advising on claim or response from other party
- Exploring settlement and negotiating settlement throughout the process
- Preparing or considering a schedule of loss
- Preparing for (and attending) a Preliminary Hearing
- Exchanging documents with the other party and agreeing a bundle of documents
- Taking witness statements, drafting statements and agreeing their content with witnesses
- Preparing bundle of documents
- Reviewing and advising on the other party's witness statements
- Agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at Final Hearing, including instructions to Counsel

## HOW LONG WILL MY MATTER TAKE?

The time that it takes from taking your initial instructions to the final resolution of your matter depends largely on the stage at which your case is resolved. If a settlement is reached during pre-claim conciliation, your case is likely to take 2-5 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 48-60 weeks. This is just an estimate and we will of course be able to give you a more accurate timescale once we have more information and as the matter progresses.

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