

Contingency Fee Agreement FAQs

A. What if my case settles before an answer is filed or arbitration is demanded or, if neither of these occur within the allotted time?

Example: Should your case settle for \$100,000 and the firm advanced \$500 in costs, the following illustrates how the settlement proceeds will be disbursed:

Gross Recovery (settlement):	\$100,000
Fees to Firm (33 1/3% of \$100,000):	\$33,333
Costs Reimbursed to the Firm by Client:	\$500
Client's Recovery (66 2/3% of \$100,000 minus costs advanced by the Firm):	\$66,700 - \$500 = \$66,200

B. What if my case is tried or it settles after an answer is filed or demand is made for appointment of an arbitrator, or if neither of these occur within the allotted time?

Example No. 1: Should your case settle for \$100,000 and the firm advanced \$500 in costs, the following illustrates how the settlement proceeds will be disbursed:

Gross Recovery (settlement):	\$100,000
Fees to Firm (40% of \$100,000):	\$40,000
Costs Reimbursed to the Firm by Client:	\$500
Client's Recovery (60% of \$100,000 minus costs advanced by the Firm):	\$60,000 - \$500 = \$59,500

Example No. 2: Should you receive a trial award of \$99,000 in damages, \$1,000 in awarded costs and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs)
Fees to Firm (40% of \$100,000):	\$40,000
Costs Reimbursed to the Firm by Client:	\$1,500
Client's Recovery (60% of \$100,000 minus all costs):	\$60,000 - \$1,500 = \$58,500

* BRAIS & ASSOCIATES, P. A. *

100 NORTH BISCAYNE BLVD., SUITE 800, MIAMI, FLORIDA 33132 * TEL (305) 416-2901 * FAX (305) 416-2902

Example No. 3: Should you receive a trial award of \$99,000 in damages, \$1,000 in awarded costs, \$30,000 in attorney fees and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs)
Awarded Attorney Fees:	\$30,000
Fees to Firm (40% of \$100,000):	\$40,000 (a sum greater than awarded fees)
Costs Reimbursed to the Firm by Client:	\$1,500
Client's Recovery (60% of \$100,000 minus all costs plus attorney fees):	\$60,000 - \$1,500 + \$30,000 = \$88,500

Example No. 4: Should you receive a trial award of \$99,000 in damages, \$1,000 in awarded costs, \$50,000 in attorney fees and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs)
Awarded Attorney Fees:	\$50,000
Fees to Firm (the awarded fees):	\$50,000 (a sum greater than 40% of \$100,000)
Costs Reimbursed to the Firm by Client:	\$1,500
Client's Recovery (100% of \$100,000 minus all costs):	\$100,000 - \$1,500 = \$98,500

Example No. 5: Should you receive a trial award of \$99,000 in damages, \$1,000 in awarded costs, \$100,000 in punitive damages, \$50,000 in attorney fees and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs) + \$100,000 (punitive)
Awarded Attorney Fees:	\$50,000
Fees to Firm (40% of \$200,000):	\$80,000 (a sum greater than awarded fees)
Costs Reimbursed to the Firm by Client:	\$1,500
Client's Recovery (60% of \$200,000 minus all costs plus attorney fees):	\$120,000 - \$1,500 + \$50,000 = \$168,500

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Example No. 6: Should you receive a trial award of \$100,000 in damages, \$1,000 in awarded costs, \$100,000 in punitive damages, \$90,000 in attorney fees and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs) + \$100,000 (punitive)
Awarded Attorney Fees:	\$50,000
Fees to Firm (the awarded fees):	\$90,000 (a sum greater than 40% of \$200,000)
Costs Reimbursed to the Firm by Client:	\$1,500
Client's Recovery (100% of \$200,000 minus all costs):	\$200,000 - \$1,500 = \$198,500

C. What if my case settles after all defendants admit liability at the time of filing their answers and request a trial only on damages?

Example: Should your case settle or you receive a trial award of \$100,000 and the firm advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (settlement or award at trial):	\$100,000
Fees to Firm (33 1/3% of \$100,000):	\$33,333
Costs Reimbursed to the Firm:	\$500
Client's Recovery (66 2/3% of \$100,000 minus all costs):	\$66,700 - \$500 = \$66,200

D. What if there is an appeal in my case or post-judgment relief is sought or action is required for recovery of the judgment?

Example: Should you receive a trial award of \$99,000 in damages, \$1,000 in awarded costs and the firm additionally advanced \$500 in costs, the following illustrates how the recovery will be disbursed:

Gross Recovery (award at trial):	\$99,000 + \$1,000 (costs)
Fees to Firm (45% of \$100,000):	\$45,000
Costs Reimbursed to the Firm:	\$1,500
Client's Recovery (55% of \$100,000 minus all costs):	\$55,000 - \$1,500 = \$53,500

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The figures used above are only for demonstrative purposes. They are not intended to predict what may or may not happen in your case. They are intended only to illustrate the disbursement of funds in the event of a settlement or award at trial in your favor. Each case handled by the firm is different and if you decide to try your case there always exists the chance that a jury or judge may rule in favor of the defendant and you will recover nothing. Your decision to go to trial or not should be made with the advice of your counsel.

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