

# Mr. N. Kumar

**MB BS, D' ORTHO, DNB ORTHO, MRCS (EDIN) & FEBPRM (EUROPEAN BOARD)**

## **Consultant in Spinal Cord Injuries**

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### **TERMS OF ENGAGEMENT - 2015**

In formulating my terms of engagement, I have followed the guidance of the Expert Witness Institute

- My hourly rate is £200.00 for time spent on the study of the documents sent to me, study of the case, examination of the patient, preparation and editing of the report, subsequent queries and preparation for response, telephone conversations and/or case conferences and time spent in travel including mileage. Secretarial expenses and research support expenses will be included in the hourly fee charged but paid in separate cheques to the secretary and to the research assistant.
- My away from home fee is £500 to include hotel accommodation and subsistence. Visits at a distance more than 110 miles or more than 3 hours drive from Oswestry are likely to incur away from home charges at the aforementioned rate.
- Court booking fee is £700.00/day non-refundable but deductible from daily fee if required to attend Court. My fee for attending Court is £2,000/day. I expect payment for attending Court even if I do not give oral evidence. Court hearing more than 110 miles or more than 3 hours drive from Oswestry is likely to incur away from home charges at the aforementioned rate.
- Please note Cancellation charges will be applied for every day set aside.

The cancellation charges will commence at 2 months pre-start of Court Booking for trial according to the following sliding scale:

Cases settled 28 – 60 days pre-trial	10% daily charge per day set aside
Cases settled 14-28 days pre-trial	20% daily charge per day set aside
Cases settled 7-14 days pre-trial	30% daily charge per day set aside
Cases settled 1-7 day pre-trial	50% daily charge per day set aside
Cases settled day before trial	75% daily charge per day set aside
Cases settled on/after first day of trial	Full daily charge per day set aside

- Unless otherwise agreed in writing I expect payment from you/ my client within 3 months of date of invoice irrespective of whether your client has paid you.
- Should accounts not be settled within the agreed period then, at my discretion, I have the right to charge interest on unpaid accounts at the rate of 2% per month or part of a month until full settlement is received.
- All material medical records should be obtained by you. Without these I cannot proffer a full opinion. These records should be collected into a bundle and paginated so that the experts and solicitors for the claimant and defendant work from the same material base. This will reduce costs.

- Telephone contact details of the patient must be supplied by instructing Solicitor prior to issuing a date for examination
- I will use my experience, care and skill in fulfilling your instructions to the best of my ability but my primary duty is to the Court. Please remember that I am an independent witness.
- I will inform you of my acceptance of your full instructions, together with any further relevant information you may have, when you have confirmed your agreement in writing to the above terms.
- I will endeavour to examine the patient within two months or as soon as possible after this date provided I have received all material, records relevant and confirmation of your agreement in writing to the above terms.
- I will appreciate being kept informed of the progress of the case. I can probably help in the period before the trial, if matters proceed to that stage. Tuesdays are usually unavailable due to fixed NHS commitments



**Mr. Naveen Kumar**  
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