



**NICHOLAS WOOLF & CO**

S O L I C I T O R S

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## **PRICING COMPLIANCE**

Nicholas Woolf & Co is a commercial international Firm that provides a bespoke service to its clients.

Nicholas Woolf & Co has historically published, and continues to publish the details and experience of those who would be providing legal services for you at:

<https://www.nicholaswoolf.com/the-team>.

Further, Nicholas Woolf & Co has historically and continues to publish its terms and conditions of business, which includes the Firm's pricing policy and structure. A copy of the Firm's current terms and conditions of business may be downloaded here:

<https://www.nicholaswoolf.com/legal-page>.

All hourly rates charged are exclusive of VAT. Therefore, in addition to our hourly rates you will be charged VAT at 20%, unless you are exempt from VAT. We only undertake work on a fixed fee basis in exceptional circumstances.

Nicholas Woolf & Co prides itself on providing individual solutions to clients' problems. No two cases are ever the same factually and clients, and indeed opponents or other parties are different. We often deal with unusual cases or matters. It is, therefore, not possible to provide an average cost for those matters which the Solicitors Regulation Authority requires us to publish prices on. However, this document contains a range of indicative prices for the type of work covered by the Regulations in which we engaged.

Notwithstanding the indicative prices set out in this document, we would (in any event) provide a bespoke estimate for work to be undertaken before we are instructed or, if that is not possible, as soon as possible thereafter. Such estimates are, of course, made on the basis of the information available to us at the time, and are subject to revision in the event that new information comes to our attention at a later stage.

### **Probate**

Nicholas Woolf & Co being a commercial international firm of solicitors has historically only dealt with cases where there are assets in more than one country and/or there are contentious issues.

We are happy to provide a quote for you for more straightforward cases in which we would handle the full process for you. To provide an indication of the costs involved in such a case this would require an estate:

- (a) where there is a valid will;
- (b) where there is no more than one property;
- (c) where there are no more than two bank or building society accounts;
- (d) there are no other intangible assets (such as stocks and shares, pensions or other investments);
- (e) there are no more than four beneficiaries;

- (f) there are no disputes between the beneficiaries, executors or trustees. If disputes arise this will substantially increase any costs;
- (g) there is no Inheritance Tax payable and the executors do not need to submit a full account to HMRC;
- (f) there are no claims or potential claims against the estate.

Disbursements (costs related to your matter that are payable to third parties) in addition to any fee are likely to be:

- (a) the application fee for Probate currently is 155 if a solicitor makes the application and the value of the estate is £5,000 or over. There is generally no fee if the estate is under £5,000 (such a fee is subject to government review and is likely to increase substantially for some estates <https://www.gov.uk/government/consultations/fee-proposals-for-grants-of-probate>);
- (b) swearing and oath fee (currently £7 to £10 for each executor);
- (c) bankruptcy only land charges searches fees (£1 per beneficiary);
- (d) post in Law Society Gazette, which protects against any unexpected claims by creditors (£400 to £1,500);
- (e) post in a local newspaper also in the hope of protecting against unexpected claims (£100 to £400);
- (f) disbursements or costs related to your matter which are payable to third parties, such as court fees.

We may ask you for money to pay those disbursements but will handle the payment on your behalf to ensure a smoother process.

Potential additional costs may also include:

- (a) if there is no will or the estate consists of any share holdings (stocks and bonds) there is likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with. We can give you a more accurate quote once we have more information;
- (b) if any additional copies of the grant are required, they will cost £10 each (1 per asset usually);
- (c) we do not do any conveyancing work in relation to any real property (whether freehold or leasehold). Dealing with the sale or transfer of any other property in the estate is not included.

In the most straightforward of matters (i.e. a matter in which factors (a) – (f) are all present and the minimum disbursements are required to be paid, as set out above), in which the majority of work is undertaken by a paralegal or junior lawyer and supervised by Nicholas Woolf, we would anticipate cost of applying for the grant, and collecting and distributing the assets being in the region of £3,000 - £4,000 including VAT plus disbursements.

Typically, such estates are dealt with within 6 months. Obtaining a grant of probate may take 4 – 8 weeks. Collecting assets then follows, which can take up to 10 weeks. Once this has been done, we can distribute the assets, which may take 2 – 3 months.

It must be appreciated that this is the low water mark. If any of the factors set out above are not present (for example, multiple intangible assets, such as stocks and shares, potential claims from beneficiaries or third parties, or no will) then the costs and time will likely increase, potentially significantly.

For example, where a complicated estate that is being administered is also the subject of litigation, administration costs alone (i.e. not including litigation costs) could be in the region of £100,000 including VAT. Depending on the complexity of the estate and/or the nature of the litigation, it could well be more. In such circumstances, the administration may also extend to as much as two years or longer after the resolution of the dispute.

Further, if the estate raises complex tax or other issues then it is usually necessary to incur the additional disbursement of counsel's fees. A newly qualified barrister producing a simple opinion may cost in the region of £1,000 including VAT. However, we would usually recommend senior counsel in order to ensure that our clients receive the best possible advice. This, of course, is more expensive. A senior barrister (for example, a QC) producing a complicated opinion may cost as much as £25,000 including VAT.

### **Debt Collection**

Nicholas Woolf & Co, being a commercial international firm of solicitors, has historically dealt with contentious debt collection matters, which involve varied (and complex) facts and relationships, and which are therefore not usually amenable to more “rapid” debt collection procedures. It is therefore not appropriate for this firm to use “template” documents in respect of the vast majority of matters that we deal with, with each document being drafted in order to meet the requirements of the particular situation. It is also rare for this Firm to undertake debt collection for sums that are less than £100,000.

The vast majority of debt collection matters that are dealt with by this Firm have three stages prior to formal litigation:

- (a) initial reading/meeting and advice;
- (b) pre-action protocol letter;
- (c) review of response to pre-action protocol letter and advice on next steps.

A straightforward matter would typically have the following factors:

- (a) a signed, written contract that is short and has clearly defined terms of service and payment;
- (b) a clear admission by the defaulting party that the service has been performed to their satisfaction (from a person authorised to make such admission, such as a director);
- (c) a clear statement from the client to the defaulting party that payment is being demanded;

- (d) a clear admission by the defaulting party that payment is now due pursuant to the contract (from a person authorised to make such admission, such as a director).

In such circumstances, on the basis that there would be little necessary pre-reading, the issue straightforward, and the necessary advices and letters to be drafted short, and on the basis that the majority of work is undertaken by a paralegal or junior lawyer and supervised by Nicholas Woolf, we would anticipate the cost of the pre-action stage being in the region of £4,000 – £5,000 including VAT.

In straightforward cases, this may result in payment of the outstanding sums. If so, the cost of receiving payment and remitting it to you would likely also fall within the work covered by the £4,000 - £5,000 including VAT range.

However, in the event that this does not elicit payment by the defaulting party, it may be necessary to issue proceedings against them. In a straightforward case, to which there is no reasonable prospect of a defence being served in response, there are usually three further stages:

- (a) drafting and issuing the claim;
- (b) where no Acknowledgment of Service or Defence is received, applying to the court to enter Judgment in Default;
- (c) when Judgment in Default is received, writing to the other side to request payment.

With straightforward matters, we would draft and issue the claim rather than instructing a barrister, in an effort to minimise costs and disbursements. This would likely cost in the region of £2,000 - £3,000 including VAT. A court fee would also need to be paid. The current court fees for money claims are as follows:

Value of your claim				Fee Payable	
				Court issued claim	Filed via Secure Data Transfer or Money Claim OnLine
Up to	£300			£35	£25
Greater than	£300	but no more than	£500	£50	£35
Greater than	£500	but no more than	£1,000	£70	£60
Greater than	£1,000	but no more than	£1,500	£80	£70
Greater than	£1,500	but no more than	£3,000	£115	£105
Greater than	£3,000	but no more than	£5,000	£205	£185
Greater than	£5,000	but no more than	£10,000	£455	£410
Greater than	£10,000	but no more than	£15,000	5% of the value of the claim	4.5% of the value of the claim
Greater than	£15,000	but no more than	£50,000		Cannot file
Greater than	£50,000	but no more than	£100,000		Cannot file
Greater than	£100,000	but no more than	£150,000		Cannot file
Greater than	£150,000	but no more than	£200,000		Cannot file
Greater than	£200,000			£10,000	Cannot file

Applying for Judgment in Default in a straightforward money claim where no Acknowledgment of Service or Defence would likely cost in the region of £700 - £1,200 including VAT. In the event that payment is received within the time period requesting in the letter to the other side (typically 7 days), then the cost of that letter, together with receiving and remitting the payment to you, would likely cost in the region of £700 - £1,200 including VAT.

Both the pre-action stage and the litigation stage are subject to timetables set out in the court's procedure rules. In a straightforward matter, assuming prompt responses from the court, payment may be made within 2 - 4 months of initial instruction.

Litigation is, however, unpredictable and potentially time consuming and expensive. The above ranges are on the basis that the defaulting party pays promptly on receipt of the pre-action correspondence or receipt of Judgment in Default. However, the following factors will result in the matter taking longer to resolve, and so increase the costs:

- (a) substantial documents are disclosed by the defaulting party in the pre-action stage;
- (b) a Defence is put forward in the pre-action stage;
- (c) an application to set aside Judgment in Default being made by the defaulting party;
- (d) a Defence being filed and served by the defaulting party;
- (e) payment not being received promptly, and further advice on next steps and costs being given;
- (f) enforcement action being needed.

Any of these matters may substantially increase both the length and cost of any debt recovery efforts. It is not uncommon for litigation to exceed £100,000 in costs and disbursements, and to take as much as two years to resolve. There is also the risk of any Judgment following a trial being appealed. In the event that such matters arise, we will provide you with advice on next steps and likely costs.

### **Employment Tribunal**

At Nicholas Woolf & Co, we are always conscious that our client's best interests are often best served by resolving disputes relating to wrongful and unfair dismissal without recourse to the employment tribunal. Litigation is generally very time consuming and expensive, and it is rarely beneficial for either employees or employers for such disputes, which are often emotive, stressful and disruptive, to proceed to a tribunal hearing. We are proud of our ability to resolve amicably disputes whilst ensuring that our clients obtain the best possible result.

Nevertheless, below we set out a rough guide to the likely fees that clients may incur in the event that a dispute proceeds to a tribunal hearing.

Simple case: £10,000 - £20,000 (including VAT).

Medium complexity case: £20,000 - £80,000 (including VAT).

High complexity case: £80,000 - £200,000 (including VAT).

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 e.g. if you are dismissed after blowing the whistle on your employer;
- allegations of discrimination which are linked to the dismissal.

Attending a Tribunal Hearing will also be charged on the basis of the relevant fee earner's hourly rate, which would likely be between £1,800 and £2,370 per day (including VAT). Generally, we would allow 1-10 days depending on the complexity of your case.

### **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.

Counsel's fees are estimated to be between £250 to £5,000 per day (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation).

### **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 claim or 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.

The stages set out above are an indication and if some of stages above are not required, the fee will likely be reduced. You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.

### **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 10 – 15 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 25 – 35 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.