

TERMS AND CONDITIONS OF

MR WGP EARDLEY

CONSULTANT ORTHOPAEDIC TRAUMA SURGEON

MBChB MSc(Orth) PgCertMedEd DipSEM(UK&I) MFST FRCSEd(Tr&Orth) MD

IN RELATION TO MEDICO-LEGAL PRACTICE

- 1 Instructing solicitors shall treat all information supplied by Mr Eardley as confidential and shall not disclose indirectly or directly or otherwise use this information except for the purpose of the specified litigation without prior consent of Mr Eardley. Mr Eardley does not take instructions on 'no win no fee' cases if this causes any delay in payment.
- 2.1 Mr Eardley's charges for preparing a report will be based on the complexity and length of the report but are likely to be in the range of £700 to £1,000. Basic report (up to 6 pages) with examination = £700. Each additional page thereafter will be charged at £100 per page.
- 2.2 Amendments to reports will be charged at £250 per report amended.
- 2.3 Mr Eardley's hourly rate of £500 will apply to all work other than preparation of the report.
- 2.4 Failure of client/patient to attend Appointment - £250 per patient.
- 2.5 If required to attend a conference in chambers, Mr Eardley's charge will be £2,500 per half day.
- 2.6 If required to appear in court, Mr Eardley's charge will be £5000 per day.
- 2.7 Mr Eardley shall be fully reimbursed for all travelling time at £150 per hour, first class train travel, car mileage of £2.00 per mile together with overnight stay and subsistence if necessary.
- 2.8 The amount due to Mr Eardley shall not be subject to taxation by the court. Instructing solicitors shall:-
 - a) ensure that Mr Eardley's charges are no higher than reasonably necessary for the purpose of the litigation, bearing in mind his professional expertise; and
 - b) where necessary, obtain prior approval from the Legal Aid Board of Mr Eardley's charges.

- 3.1 Instructing solicitors shall pay all sums due within 4 weeks of the date of the invoice. Late payment will be subject to interest of 5% per annum. In the event of late payment, further reports and co-operation will be withheld until payment is received.
- 3.2 Mr Eardley reserves the right to require advance payment for work undertaken prior to supplying that work to instructing solicitor.
- 4 In the event of cancellation of a court appearance or settlement, instructing solicitors shall pay the full fee unless the settlement is made 2 days in advance. A cancellation charge of half a day's court fee per day is liable unless the case is cancelled or otherwise settled 7 days in advance, in which case Mr Eardley shall waive the charges set out in clause 2.6 above.
- 5 Instructing solicitors shall be responsible for giving adequate instructions and shall check also that all matters are covered in the reports. Instructing solicitors shall be responsible for any claim made against Mr Eardley resulting from their failure to do so.
- 6 The liability of Mr Eardley to instructing solicitors and/or their clients for negligence howsoever arising in respect of any loss or damage caused by an act or default of Mr Eardley shall be limited to the amount received by Mr Eardley for his services.



23rd May 2024

Mr Will Eardley

MSc PgCertMedEd DipSEM(UK&I) MD MFST FRCSEd (Tr&Orth)

Consultant Orthopaedic Trauma and Limb Reconstruction Surgeon

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