

Mediated Settlement Agreement

State Court Case Number: _____

Date: _____

Federal Court Case Number: _____

Pre-litigation Case: _____

Case Caption: _____

Terms and Conditions

Document execution: The undersigned parties and counsel do hereby represent and certify to the Court that this document represents the terms and conditions of a settlement agreement which subsequently shall be reduced to its terms in a formal document of disposition as a result of this mediation. That document will be prepared by _____ and circulated within ___ days of this date.

Release and dismissal: Upon the satisfaction of the terms and conditions stated herein, the parties shall dismiss any and all claims and counterclaims with prejudice and fully release the other of any claim arising out of this action or the subject matter of this action.

Payment of moneys: Should the payment of moneys be a part of this agreement, the payor represents that proceeds will be paid to the payee within ___ days and contemporaneous with the execution of the full release resolving this case.

Waiver: Each party stipulates that this agreement may be introduced as prima facie evidence of the existence of an accord and satisfaction and binding resolution of the matters in controversy.

Terms and Conditions: _____

Plaintiffs _____ Counsel _____

Plaintiffs _____ Counsel _____

Defendants _____ Counsel _____

Defendants _____ Counsel _____