

SAMPLE DOCUMENT: Settlement Agreement (Breach Of Contract)

Always try to resolve a dispute prior to filing a lawsuit. If you are able to come to an agreement, it's important that you put that agreement in writing. Here is a sample settlement agreement for a breach of contract. Although you can write your own, it's a good idea to have the agreement reviewed by an attorney prior to signing. Be sure to keep a copy of the settlement agreement for your files.

PARTIES: _____ (“Plaintiff”)

_____ (“Defendant”)

DATE: _____

RECITALS:

- A. On _____, Plaintiff commenced a lawsuit against Defendant for claims relating to a contract dated _____.
- B. Pursuant to the Lawsuit, Plaintiff alleged that Defendant breached the contract.
- C. Defendant denies that it breached the contract.
- D. Plaintiff and Defendant wish to settle and resolve the lawsuit and all claims and disputes among them and to enter into this settlement agreement and mutual release.

AGREEMENTS:

1. In full satisfaction of the lawsuit, Defendant shall pay to Plaintiff the sum of \$_____ on or before _____. Plaintiff and Defendant agree that this sum shall settle and satisfy any and all claims for damages asserted by either party.
2. Upon execution of this agreement, Plaintiff and Defendant shall release each other from all actions, claims and demands whatsoever, provided that such release is only with respect to the issues raised in the Complaint.
3. Plaintiff and Defendant have read this agreement carefully, understand its terms, and have discussed it with their respective attorneys who have fully explained it to them. This agreement represents a compromise of disputed claims, and any payment hereunder is not intended or understood to be an admission of liability by either party.
4. In consideration for the payment provided for in this agreement, Plaintiff shall dismiss the lawsuit with prejudice.
5. Except as provided for in this agreement, each party shall bear his or her own costs and attorneys' fees with respect to the lawsuit.
6. This agreement constitutes the full agreement of the parties and may not be altered, modified, or changed in any way except upon the express written consent of the parties.

Plaintiff

Defendant