

Small Claims Settlement Agreement

Case# _____

Cross-Complaint: Yes__ No__

PLAINTIFF(s): (π) _____

DEFENDANT(s): (Δ) _____

The undersigned parties, on this ____ day of _____, 20____ have agreed to the following settlement of their dispute:

_____ agrees to pay _____ the sum of \$ _____

In full on _____, 20____ by: Cashier's Check Money Order Other _____

In installments of: \$ _____ per month.

First payment will be due on ____/____/____. Subsequent payments will be due on the _____ of each month

until balance is paid in full; Payments will be made by: Cashier's Check Money Order Other _____

Any payment mailed will be postmarked on or before the due date.

Address of Payment Recipient: _____

Note: In small claims cases, enforcement must be obtained by filing a *Request for Court Order and Answer*, Judicial Council for SC-105 and following procedures as described in California Rules of Court, Rule 3.2107.

OTHER _____

- Plaintiff requests dismissal **WITH** prejudice (Original case cannot be re-filed)
- Plaintiff party requests dismissal **WITHOUT** prejudice (Original case can be re-filed)
- The parties signing below further agree to accept said sum as payment in full of all his/her/their claims, with the knowledge that this Settlement Agreement bars each of them from asserting the same claims at any time in the future.
- The parties shall be permitted to have the Court enforce, under CCP §664.6, the terms of this Settlement should either party believe that it has not been fully performed.

THIS SETTLEMENT IS BINDING ON THE PARTIES IN COURT PURSUANT TO CALIFORNIA EVIDENCE CODE SECTION 1119. THE PARTIES ACKNOWLEDGE BY THAT THE FOREGOING TERMS ACCURATELY REFLECT THEIR SETTLEMENT AGREEMENT. THE PARTIES FURTHER AGREE TO ABIDE BY THE TERMS AND CONDITIONS SET FORTH IN THIS AGREEMENT. BY SIGNING BELOW, THE PARTIES EXPRESSLY AGREE THAT THIS WRITTEN SETTLEMENT MAY BE DISCLOSED IN A COURT OF LAW. UPON DISCLOSURE, THIS AGREEMENT MAY BE ADMITTED AS EVIDENCE AND/OR ENFORCED AS TO BE DETERMINED APPROPRIATE BY THE COURT.

Plaintiff Print Name: _____ Defendant Print Name: _____

Plaintiff Signature: _____ Defendant Signature: _____

Plaintiff Name: _____ Defendant Name: _____

Plaintiff Signature: _____ Defendant Signature: _____

Mediator Name _____ CO-Mediator Name _____