

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, STATE OF FLORIDA
CIVIL DIVISION

,

Plaintiff,

vs.

CASE NO.:

,

Defendant.

_____ /

SETTLEMENT AGREEMENT AND STIPULATION OF PARTIES

Pursuant to the Mediation Conference held on the _____ day of _____, _____, the parties have agreed to abide by the following:

1. The Defendant(s) shall pay to the Plaintiff(s) the sum of \$ _____, in full settlement of the Plaintiff(s) cause(s) of action constituting this litigation.

2. The Defendant(s) shall pay said sum through the offices of Plaintiff's counsel of record within _____ days from the date of this stipulation.

3. The Plaintiff(s) shall voluntarily dismiss this litigation with prejudice and execute and deliver to the Defendant(s) and his/her/its/their insurance company through the offices of the Defendant's counsel of record, General Release(s) and Indemnification Agreement(s) holding the Defendant(s) and his/her/its/their insurance company(ies) harmless from any third party liens or claims for which the Plaintiff(s) was/were able to legally collect and for which the Plaintiff(s) is/are legally liable only. Plaintiff(s) shall be responsible for satisfying any and all liens which might apply to these settlement proceeds.

4. Each side shall pay their own costs and fees. Mediation fees shall be payable within ten (10) business days of the date of the mediation.

5. This settlement is contingent upon the clearing of funds and the receipt by the Defendant's counsel of record of the dismissals, releases and indemnifications contemplated in Paragraph 3 above.

6. The parties hereby stipulate the mediation shall be governed as if it were court ordered and pursuant to Fla. Stat. §44.102 et seq, and F.R.C.P. 1.700 et seq as well as any administrative orders in effect from the date the mediator was selected. In Federal Court cases, the Local Rules 9.01 – 9.07 of the United States District Court for the Middle District of Florida shall apply. The parties and counsel also hereby agree that all matters raised in mediation shall remain privileged and confidential unless waived by all parties and the mediator. Also, the parties and counsel further stipulate the mediator shall be immune from testimony, deposition and liability, including all forms of negligence, whether a Court ordered or voluntary mediation.

THIS AGREEMENT SHALL BE FILED WHEN REQUIRED BY LAW OR WITH THE PARTIES' CONSENT. THIS STIPULATION BECOMES BINDING UPON THE PARTIES BY THEIR EXECUTION AND THAT OF THEIR COUNSEL. THIS STIPULATION, IF FILED, SHALL BE ENTERED AS A JUDGMENT OF THE COURT, OR THE COURT SHALL RETAIN JURISDICTION TO ENTER FINAL JUDGMENT OR ENTER AN ORDER DISMISSING THE CAUSE.

Date

F. ROBERT SANTOS, Esquire, Mediator

Counsel for Plaintiff

Counsel for Defendant

, Plaintiff

, Defendant
