



Mediation Settlement Agreement

Case No:

Claimant:

Defendant:

Date:

Mediator:

In a voluntary telephone mediation today, you agreed terms as set out in the mediation settlement agreement overleaf. This agreement is in full and final settlement of all parties' claims in this case, including in relation to costs.

The terms of the agreement have been read back to each party and you have each agreed to those terms.

If you believe that there is any inaccuracy in the terms of the settlement agreement set out below, you must reply to the court within five days of the date of the settlement agreement.

You should keep a copy of the agreement. A copy of this agreement will be placed on the court file.

If there is a breach of the agreement by the other party and you wish to take further action, you should complete an N244 General Form of Application. This form can be found at <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>. You must state clearly on the form which of the two options below you wish to be considered:

- 1) That the court enters judgment in your favour for the unpaid balance of the outstanding sum of the settlement agreement. You will have to send the court a copy of your settlement agreement and on the accompanying N244 General Form of Application:
 - a) Specify the amount you say is still owing to you
 - b) Give full details of the breach of the settlement agreement you say has been committed by the other party.
- 2) That your claim be restored for hearing for the full amount claimed.

Please note that if the settlement agreement contains non-monetary provisions (for example, agreement to provide a service to a specified quality before a specified date), it is only possible to apply for your claim to be restored for hearing for the full amount claimed.

Send your completed application to the court at

Please quote your case number and **include the payment of £45.00** (cheques should be made payable to HMCTS). If you wish to pay by credit or debit card please include a contact phone number and a member of our team will contact you to arrange payment.

Your application and court file will be referred to a District Judge and you will be notified of the judge's decision in due course.

Mediation Settlement Agreement

Name and address of court

Claim no.

Name of claimant

Name of defendant

On _____ the parties agreed that:

Terms:-

1. The parties have agreed the following:

The _____ agrees to pay to the _____ the sum of _____ (the settlement sum) in full and final settlement of the claim to be paid

By _____

or

by instalment amounts of _____ per month for a period of _____ months commencing on the _____ with a final payment of _____ due on _____

2. The court will stay the case (i.e. the court will take no further steps in relation to the case) and the claim, defence and any counterclaim will be struck out without further order of the court (meaning that the case will no longer be treated as active) if the court has not heard from either party by _____.
3. The parties will keep the information contained in this agreement confidential and not use it for any other purposes. Other than a final written agreement, any information – whether written in a document prepared for mediation or written or spoken during the mediation – can only be used for the purpose of mediation and cannot be referred to in any court action unless the parties agree. The parties agree that they will not call the mediator to give evidence in any court action.

4. In the event of any default by either party, the other party shall be entitled to apply to the court:
 - a. for judgment, without any further court hearing, for the unpaid balance of the settlement sum; or
 - b. for the claim to be restored for hearing for the full amount claimed.
5. This agreement is in full and final settlement of both parties' claims, including any claim for costs, court fees, expenses or interest.

The terms of this agreement as set out above have been read out to both parties, and both parties have given their verbal agreement to all of the terms set out above.

Mediator:

Date: