

KINSEY
LAW
OFFICES



OFFER OF COMPROMISE PURSUANT TO CCP § 998

Sample Only
Use At Your Own Risk



To: _____ [Plaintiff or Defendant] _____ [name]

From: _____ [Defendant or Plaintiff] _____ [name]

Please take notice that pursuant to the provisions of Code of Civil Procedure section 998 _____ [name of party making offer] offers to allow judgment to be taken in the action pending between the parties on the following terms and conditions:

1. _____ [Plaintiff _____ (name) shall recover from defendant _____ (name) the sum of \$_____ or as the case may be.]
2. _____ [This offer includes statutory costs to which plaintiff may be entitled or Plaintiff may also recover statutory costs.]
3. _____ [Each party shall bear its own attorney fees or Plaintiff may also recover \$_____ for attorney fees or as the case may be.]
4. _____ [Include additional terms as appropriate]

Dated _____.

[Signature of offering party]

Proof of acceptance

_____ [Name of offeree] accepts your offer to allow judgment on the terms and conditions as specified above. You may file this offer and proof of acceptance with the court clerk so that judgment may be entered accordingly.

Dated _____.

[Signature of offering offeree]

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