

**Trial Court of the Commonwealth
District Court Department
Newton Division**

SAMPLE ONLY
Ask for this
form at the desk

Middlesex, ss.

Small Claim Action No. 0012SC _____

Plaintiff

vs.

Defendant

AGREEMENT

The above parties certify that they have participated in mediation on _____, 2000, and have agreed to the following:

- Agreement for Judgment for the plaintiff in the amount of \$ _____. An Agreement for Judgment is entered on the case papers as a judgment by the Court. Should the terms of the Agreement for Judgment not be complied with, the plaintiff may apply to the court for a Notice to Show Cause Summons.
- Agreement for Judgment for the defendant. The case papers will reflect a judgment for the defendant.
- Agreement to Dismiss. This type of agreement is entered onto the case papers as a dismissal.
- Settlement Agreement. The court will record on the case papers that the parties reached a settlement. This option avoids the formal recordation on the docket of a prevailing party, i.e. a "winner." However, if the terms of the settlement agreement are not complied with, the aggrieved party may file a motion requesting that the case be set down for trial as originally filed.
- Agreement for Continuance. The parties agree to continue the trial of this matter to _____. Please note: this is the only notice of this trial date that you will receive.

Payment Terms

_____ agrees to pay to _____ the sum of \$ _____, on or before _____. Payment to be made

- in full.
- in installments of \$ _____ per _____. First payment due on or before _____.

Additional Terms (if any):

(Over)

We acknowledge that we enter into this agreement freely and voluntarily and that we understand all terms.

We understand that the mediator(s) may not compel us to enter into an agreement and that if we do not reach an agreement we may proceed to trial today.

We agree that the foregoing represents our fair and reasonable resolve of the case and agree to comply with the specified terms and conditions.

(Plaintiff)

(Address)

(Telephone)

(Plaintiff Signature)

(Defendant)

(Address)

(Telephone)

(Defendant Signature)

Mediator's Certification

I/We certify, to the best of my/our knowledge and belief, that the parties have freely and voluntarily entered into the foregoing agreement.

Date: _____

(Mediator Signature)

(Mediator Name)

Approved: _____
(Assistant) Clerk/Magistrate