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## Stipulation to Amend a pleading

Posted by laurie - 2008/04/21 22:08

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I'm hoping one of the attorneys on this site can tell me or show me what a Stipulation should look like. I need to create a stipulation for a project I am working on.

Thanks for your help!:)

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## Re:Stipulation to Amend a pleading

Posted by LK311 - 2008/04/22 14:14

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A stipulation can look like anything. Below is one I did, just insert you caption and tell the court what you stipulated to:

### STIPULATION OF SETTLEMENT

NOW COME Basil Shamoan, Calvin's, Inc., and Layla Toubia, collectively and, by and through their respective attorneys, herein stipulate and agree more specifically as follows:

1. That Basil Shamoan and Calvin's, Inc., filed suit in July 2007 for purposes of rescinding the August 29, 2006 purchase agreement executed between the Parties;

2. That Layla Toubia filed a counter-claim in order to enforce said purchase agreement;

3. That on November 25, 2007 the Parties agreed and settled this matter;

4. That, the Parties have agreed that for certain terms, conditions and consideration, more fully detailed in the attached Settlement Agreement between the Parties, that Layla Toubia will pay an additional one-time payment, in addition to the purchase price stated in the August 29, 2006 purchase agreement, of fifty thousand dollars 00/100 (\$50,000.00), and no more, to Basil Shamoan and Calvin's, Inc. in full and final settlement of this matter at the closing contemplated by said purchase agreement and the attached Settlement Agreement;

5. That, for said sum, Basil Shamoan and Calvin's, Inc. shall do all necessary acts to effectuate the closing contemplated by the August 29, 2006 purchase agreement executed by the Parties between the dates of December 12, 2007 and December 18, 2007, otherwise the settlement shall be revoked;

6. That, in all other respects, the purchase agreement between the Parties, and the amendments therein, shall remain in full force and effect, without change or edits thereto;

7. That, each Party shall be responsible for his, its, or their own attorneys' fees and costs;

NOW, THEREFORE, the Parties herein stipulate and agree that the above terms, and the attached Settlement Agreement that details the Settlement between the Parties, fully and completely resolves the above-captioned matter, and no other claims, counter-claims or issues remain.

IT IS SO STIPULATED AND AGREED.

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## Re:Stipulation to Amend a pleading

Posted by laurie - 2008/04/22 15:26

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So, with the stipulation I also need to prepare an order for the court? Does the attorney sign the stipulation or just the clients?

Thanks for all your help!:)

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## Re:Stipulation to Amend a pleading

Posted by LK311 - 2008/04/23 14:34

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Usually just the lawyers need to sign the stipulation. A safe practice is to have the client sign it as well. This is especially true if you have a difficult client.

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