

Instruction: This is a model letter. Adapt to fit your facts and circumstances.

<date>

NAME
ADDRESS LINE 1
ADDRESS LINE 2
CITY, STATE ZIP CODE

Re: _____
Court No.

Dear _____ :

Enclosed herewith please find a proposed Order Granting _____'s Motion for Summary Judgment. As you will recall, _____ agreed to signing an Order granting _____'s Motion for Summary Judgment provided it was agreed to by both you and _____. I sent the Order to _____, and she returned it to me stating that she did not want to sign the Agreed Order until you had signed it. A copy of _____ letter to me is enclosed.

I do not understand _____'s concern regarding the _____. Neither _____ nor _____ owed her client any duty to obtain a Landlord Waiver. Essentially, her client acquired the paper "as is." Moreover, even if there was a Landlord Waiver it would not authorize him to trespass upon property or destroy property in repossessing his collateral.

After you have had an opportunity to review the Agreed Order and _____ letter, please let me know your position regarding your signing the Agreed Order.

I look forward to hearing from you soon.

Sincerely,

BY:

:
Enclosures