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## New Jersey Supreme Court Mandates All Mediation Settlements Must be Reduced to a Signed Written Agreement

**Date:** 08/20/13

On August 15, 2013, the New Jersey Supreme Court in *Willingboro Mall, LTD. v. 240/242 Franklin Avenue, L.L.C.*, unanimously affirmed the Appellate Division's decision that the plaintiff expressly waived the mediation-communication privilege normally afforded to mediation sessions, and upheld as binding the parties' oral settlement agreement. Going forward, however, the Court clarified that in order to have an enforceable settlement parties to a mediation must execute a written settlement agreement before the mediation comes to a close.

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### Attorney

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