**MOTION TO ADOPT UNSIGNED AGREEMENT**

COMES NOW the Plaintiff, by and through the undersigned attorney, and moves this Honorable Court to adopt the Parties’ Settlement Agreement, despite Defendant having failed to sign and return same to Plaintiff’s Counsel, as follows:

1. The Parties appeared for Pretrial Conference on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
2. At that time, the Parties reached a verbal agreement to settle for the terms set forth in the proposed Agreement, a true and correct copy of which is attached hereto as Exhibit A.
3. Plaintiff certifies that Exhibit A contains the terms which were reviewed with Defendant at the Pretrial Conference, and were accepted by Defendant at that time.
4. Following the Pretrial Conference, Plaintiff’s Counsel mailed/emailed a copy of Exhibit A to Defendant, with instructions for Defendant to sign same and return it to Plaintiff’s Counsel.
5. To date, Plaintiff’s Counsel has not received the signed Agreement back from Defendant.
6. However, Plaintiff’s Counsel does hereby certify that, despite having failed to sign and return the Agreement, Defendant has been complying with the terms of the Agreement, and has been mailing payments to Plaintiff consistent with the Agreement.

WHEREFORE, Plaintiff prays the Court will find that Defendant has accepted the terms of the Agreement, and will enter an Order Adopting Agreement that will close this matter and reserve jurisdiction to enforce the terms of the Agreement, just as if the Agreement had been signed by both Parties and filed with the Court.