

#### **4:24A. High-Low Agreements.**

A high-low agreement is one in which the parties, or some of them, agree that if a verdict is above a specified range of numbers agreed upon by such parties, the defendant's liability for damages shall be the highest number in that range, and that if a verdict is less than the lowest number in that range, including a verdict of no cause for action against such defendant, defendant shall pay the plaintiff the lowest number in the range. If the verdict against the defendant falls within the range, the damages the defendant shall pay is the verdict reached by the jury.

Whenever a plaintiff and a defendant enter into a high-low agreement in a multi-defendant action that is to be tried by jury, the parties shall disclose the existence of that agreement and its terms to the court and to all other parties to the action immediately after entering into the agreement.

**Note:** Adopted July 27, 2018 to be effective September 1, 2018.