

Confidentiality in Settlement Agreements Is a Virtual Necessity

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In all fairness to the fine writer asked to provide the “con” side of this argument, being asked to espouse the positives of including confidentiality clauses in a settlement agreement is akin to being asked to take the “pro” position in a debate titled “Chocolate Chip Cookies—Yes or No?” Including a confidentiality provision in a settlement agreement is generally not only good practice for both sides, but for a defendant, it’s a virtual necessity.