

VIA EMAIL AND U.S. MAIL

Date: [Insert Date]

[Opposing Counsel Name]

[Law Firm Name]

[Address]

[City, State, Zip]

Re: [Case Name and Case Number]

**FINAL MEET AND CONFER REGARDING DEFENDANT'S INTENT TO FILE
MOTION TO STRIKE IMPROPER DAMAGES**

Dear [Opposing Counsel Name],

This letter serves as a final meet and confer effort pursuant to [State Local Rule/Code of Civil Procedure Section] regarding the improper damages claimed in Plaintiff's [Complaint/First Amended Complaint].

As previously discussed on [Date of Previous Communication], Defendant contends that the following categories of damages are not recoverable as a matter of law:

- [Identify Specific Damage 1, e.g., Punitive Damages for Breach of Contract]
- [Identify Specific Damage 2, e.g., Attorney's Fees without Statutory or Contractual Basis]
- [Identify Specific Damage 3, e.g., Speculative Lost Profits]

Specifically, these claims for damages should be stricken because [Insert Brief Legal Reason, e.g., statutory law expressly prohibits such recovery in this cause of action].

Defendant requests that Plaintiff voluntarily file a request for dismissal of these specific damage claims or an amended pleading by [Insert Date/Time]. If we do not receive your agreement to remove these improper items by that time, Defendant will proceed with filing a Motion to Strike. This letter will be attached as an exhibit to demonstrate Defendant's good faith effort to resolve this issue without judicial intervention.

Please let me know your position as soon as possible.

Sincerely,

[Your Name]

[Your Law Firm]

[Your Phone Number]

[Your Email]