

QUICK TIPS FOR DEFENDANTS AND INSURERS

Fee Structure Plus® (FSP) - Overview

Fee Structure Plus (FSP) is an attorney fee structured settlement program available for both taxable and non-taxable settlements. It uses an investment portfolio as the underlying funding asset instead of an annuity contract. The result is market-related performance on the structured settlement payments. Similar to an annuity-funded structured settlement, the payment schedule is determined at the time of settlement. The payments are illustrated in the documents as a portion of the FSP account that is paid with each payment rather than a fixed dollar amount.

Frequently Asked Questions:

What language does the defendant/insurer need to incorporate into the settlement agreement or release?

Standard structured settlement provisions, including: the periodic payment schedule, assignment provision and right to purchase assets should be incorporated into the agreement. Your structured settlement consultant will provide this information.

Is there an assignment?

Yes, FSP uses a non-qualified assignment through Structured Assignments, Inc. (SAI). SAI is an independent assignment company, domiciled in Barbados. The use of Barbados-domiciled non-qualified assignment companies is common practice in the structured settlement industry. It allows for attorney fee structures in both physical and non-physical injury cases.

Does the defendant/insurer get a full release?

Yes, release provisions are included in both the settlement agreement and the non-qualified assignment agreement. Below is the sample release provision from the settlement agreement language; however the defendant/insurer can add to this verbiage if specific release language is required.

Any such assignment, if made, shall be accepted by the Payee without right of rejection and shall completely release and discharge the Defendant and/or Insurer from the Periodic Payments obligation assigned to Structured Assignments, Inc. (SAI) Payee recognizes that, in the event of such an assignment, SAI shall be the sole Obligor with respect to the Periodic Payments obligation, and that all other releases with respect to the Periodic Payments obligation that pertain to the liability of the Defendant and/or Insurer shall thereupon become final, irrevocable and absolute.

Further, Integrated Financial Settlements has obtained an opinion from Drinker Biddle supporting this position that the defendant/insurer is fully released once they execute the settlement and assignment agreements and fund the structured settlement. A copy of the memo is available upon request.

How does the defendant/insurer fund Fee Structure Plus?

Funds are payable to the assignee: Structured Assignments, Inc. (Tax ID no: 39-2077886). Payment can be issued via check or wire transfer. Wire transfer is the preferred funding method for Fee Structure Plus since international check cashing can take up to 30 days for paper checks.

Additional Resources:

- + Sample settlement agreement language
- + Sample Non-Qualified Assignment and Release
- + W-8BEN-E for Structured Assignments, Inc.
- + Release memo written by Drinker Biddle (available upon request)



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