

The Grillo Waiver should include a client acknowledgment that:

1. "I acknowledge that I have been given an opportunity to meet with a financial consultant of my choice.";
2. "I am aware that the law enables all principal and interest earned in a structured settlement annuity to be excluded from my gross income and that this opportunity is only available to persons like me who are recovering tort damages on account of a physical injury or physical sickness that I or an immediate family member have suffered."
3. "I understand that, if I do not participate in a structured settlement, all earnings on any investment I may choose could be fully taxed at my highest income tax bracket."
4. "My attorney has warned me of the pitfalls of not selecting a portion of my recovery to be included in a structured settlement annuity and has informed me that due to unexpected events or circumstances, many plaintiffs who do not participate in a structured settlement annuity either lose their money award due to investment risks and/or deplete their funds and lose financial security."
5. "I understand this is my only opportunity to take advantage of a structured settlement annuity and that my settlement decision cannot be changed or reversed on a future date in that it is irrevocable. I have been given every opportunity to ask questions and all my questions have been answered."
6. "I acknowledge and understand that after being fully informed of my options that by signing my name, I agree to either [] reject the structured settlement annuity option and accept a one time lump sum payment option; or [] wish to evaluate structure settlement annuity option/evaluate quotes."

Grillo v. Pettiete, 96-45090-92, 96th District Court, Tarrant County, Texas