**03.18 EVIDENCE OF SETTLEMENT**

You have heard evidence that [plaintiff] settled [his][her][its] claim against [settling defendant]. Any award of damages to [plaintiff] must be made without taking into account any amounts that [plaintiff] may have received as a result of this settlement, and any determination of percentages of fault must be made without regard to this settlement.

# Directions for Use

This instruction should be used when the jury has heard evidence regarding a settlement.

## Comment

In a tort action, there is no reduction in an award to the plaintiff based on amounts received in settlement. *See Petrolane Inc. v. Robles*, 154 P.3d 1014 (Alaska 2007); *Diggins v. Jackson,* 164 P.3d 647 (Alaska 2007).