

Privileged and Confidential Settlement Demand

Of Property Pursuant to the [APPLICABLE STATE] Rules of Civil Procedure

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[DATE]

[CLAIMS ADJUSTER NAME] Sent via [FAX / EMAIL / CERTIFIED MAIL]: [DELIVERY ADDRESS OR NUMBER]

[INSURANCE COMPANY NAME]

Re: Our Client: [CLIENT FULL NAME]
Claim Number: [CLAIM NUMBER]
Date of Loss: [DATE OF LOSS]

Dear [ADJUSTER LAST NAME OR TITLE],

This is our final attempt to settle the above-referenced diminished value claim. This firm represents [CLIENT FULL NAME] with respect to their property damage claim against your insured. The purpose of this letter is to attempt to settle this claim without the necessity of incurring any additional expenses, including litigation expenses. This letter is a privileged and confidential offer to compromise pursuant to [APPLICABLE EVIDENCE / SETTLEMENT RULE (e.g., TRE 408)] and is intended solely for settlement purposes.

Diminished value claims have generally been found by courts to be covered in appropriate automobile insurance contexts where the measure of damages includes the difference in the market value of the property after the loss (see attached expert report). Counsel should cite controlling authority in [JURISDICTION], such as applicable appellate or supreme court decisions recognizing diminished value.

As a result of the collision, my client's [YEAR MAKE MODEL / TRIM] was badly damaged. The vehicle has now been in a major accident and has lost market value as a result. Diminished value is a recognized claim in many jurisdictions (inherent, immediate, and/or repair-related) for the market-value loss of the vehicle. My client's diminished value claim is as follows:

Description	Amount
Diminished Value — see attached expert appraisal report from My-DV-Pal (or other qualified appraiser).	[APPRAISED DV AMOUNT]
Total Diminished Value	[APPRAISED DV AMOUNT]

** In an effort to settle my client's diminished value claim, even when considering you have not presented any evidence refuting the expert's detailed report, my client will settle the diminished value claim for [SETTLEMENT OFFER AMOUNT].

THEREFORE, OUR FINAL OFFER TO SETTLE IS [SETTLEMENT OFFER AMOUNT].

If you have any questions or comments, please feel free to call my office.

Best regards,

[ATTORNEY FULL NAME, Esq.]

[ATTORNEY TITLE (e.g., Attorney at Law)]

[LAW FIRM NAME]

*Enclosure: Diminished value appraisal / expert report. This sample layout is provided by **My-DV-Pal** (mydvpal.com) to illustrate a common demand structure. Always customize with your firm's letterhead, facts, and governing law.*