

ANATOMY OF A CONTRACT
[Heading/Title of Agreement]

[Introduction providing name of agreement, date and parties] THIS
_____ AGREEMENT dated as of _____, 1998 (“Agreement”),
is made and entered into by and between _____ (“_____”)*[a defined
term to simplify identification of first party]* and _____ (“_____”)*[a
defined term to simplify identification of second party]*, with reference to the following facts:

RECITALS:

[Optional paragraphs which outline/explain/summarize the intent of the agreement]

- A.
- B.
- C.

AGREEMENT:

[Signals the beginning of core of the agreement]

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto hereby covenant and agree as follows:

1. Definitions. *[For convenience many agreements separate out key definitions of terms that will be used repeatedly. This practice is entirely optional and driven mainly by custom and style preferences. However, in particularly long agreements, a definitions section can be very helpful.]*
2. *[First substantive clause]*.
 - 2.1. *[Subheading; could also be numbered in any logical outline format (i.e. 1; (a); (i); etc.)]*
 - 2.2.
3. *[Second substantive clause]*.
 - 3.1.
 - 3.2.
4. *[Etc.]*.
5. Attorneys’ Fees. *[Parties typically include some language regarding recovery of attorneys’ fees and other cost if litigation of the contract occurs].*

6. Notices. *[Parties typically address what means of communication will be accepted]*.

7. Governing Law. *[Parties typically specify what laws will govern their agreement]*.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

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