

# Releases and Covenants Not to Sue – Seeming Legal Redundancies That Aren't

A recent decision by the New Hampshire Supreme Court, *Pro Done, Inc. v. Basham*, provides an illustration of the benefits in a private equity deal of an independent covenant not to sue in addition to a release agreement, writes **Glenn D. West** in Weil, Gotshal & Manges' **Global Private Equity Watch**.

The New Hampshire Supreme Court reversed the trial court and held that there was “no reason why we should treat parties who suffer damages as a result of a breach of an express promise not to sue differently from those who suffer damages for a breach of other types of contractual terms.”

**Read the article.**