

# David Levitt Writes in Bloomberg: Making Litigation Funding Agreements Discoverable is Good Public Policy

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Hinshaw partner David Levitt recently published a column in *Bloomberg Law* that discusses the issue of mandating discoverability of third-party litigation funding (TPLF) agreements. Levitt argues that it is good public policy for both sides of a litigated matter to be entitled to know when non-parties have a financial interest in the outcome of the lawsuit, and that states should therefore adopt civil procedure rules mandating the disclosure of TPLF agreements.

In his discussion, Levitt reviews amendments made to the Federal Rules of Civil Procedure in 1970 and 1993 that mandated the disclosure by defendants of a copy of an insurance agreement that may apply to a pending claim. He argues the exact same policy reasons that led to requiring defendants to disclose and produce copies of insuring agreements apply to the discoverability of TPLF agreements.

[Read the full article on the Bloomberg Law website](#)

“Making Litigation Funding Agreements Discoverable is Good Public Policy” was published by *Bloomberg Law*, June 17, 2021.

*Addendum: this article discusses a proposed new Local Civil Rule 7.1.1 in New Jersey on the disclosure of third-party litigation funding. This proposed rule was [subsequently adopted](#) on June 21, 2021.*

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