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Title: Malicious Litigation

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Highlights for “Malicious Litigation”

- The first paper to model malicious litigation.
- Plaintiffs’ settlement payoff and filing probability increase in their malice.
- Two-sided malice may cause settlement failure even with complete information
- Can increase the litigation to settlement ratio and weakly decrease cases filed
- Optional settlement bars poorer at deterring malicious suits than nuisance suits
- A settlement bar option works better if combined with commitment to litigate.

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