

**13-820. Third party beneficiary; enforcement of contract.**

To recover the benefits of the contract between \_\_\_\_\_ (*contract promisor*) and \_\_\_\_\_ (*contract promisee*), \_\_\_\_\_ (*third party*) must show that \_\_\_\_\_ (*contract promisee*) and \_\_\_\_\_ (*contract promissor*) intended to benefit \_\_\_\_\_ (*third party*) [either individually or as a member of a class].

**USE NOTE**

This instruction should be used where the third-party beneficiary seeking to enforce the contract is an intended beneficiary. The first two blanks should be filled in with the names of the immediate parties to the contract. The third blank should be filled in with the name of the third party seeking to enforce the contract. The fourth and fifth blanks should be filled in with the names of the immediate parties to the contract, and the last blank should be filled in with the name of the third party.

[Adopted, effective November 1, 1991; amended by Supreme Court Order No. 08-8300-043, effective December 31, 2008.]