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clauses in the last three years that these clauses have been rescinded or will no longer be enforced. 2[( )-1167.2 (or)-C

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those who do become aware of illegal contractual provisions may be unable or unwilling to initiate costly legal proceedings against their boss.<sup>9</sup>

There are circumstances where the Commission should persist with its investigations even when firms appear eager to settle. For example, the Commission should approach skeptically settlements that involve sweeping releases of liability for conduct that has not been fully investigated, or grants of immunity for individual executives whose role is not fully understood.<sup>10</sup>

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