Osprey Approach: Proceedings

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Jun 20th, 2023

The latest version is always online at
https://support.ospreyapproach.com/?p=16412

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Osprey™ Approach

A Workflow to assist with issuing and concluding proceedings where it has not been possible to obtain an out of court settlement.

ADVICE RE PROCEEDINGS TK_PI

ENTER DATA IF CLAIM VALUE HAS BEEN FINALISED:

Net Value of Claim

0.00

Type of Funding

Please Select

- Please Select
- CFA
- BTE Insurance
- Private
- Other
- Legal Aid

Def 1 Company Name

Def 1 Forename

Def 1 Surname

DEFENDANT'S STANCE ON LIABILITY:

Def 1 Liability

Please Select

- Please Select
- Liability Admitted
- Liability Denied
- Contributory Negligence Alleged

ENTER DATA FOR 2ND AND THIRD DEFENDANTS AS APPROPRIATE:

Def 2 Company Name

COUNSEL'S DETAILS TK_PI

Counsel (Contact)

None selected

None selected

Counsel's Chambers

None selected

None selected

Counsel Ref

Submit Cancel

PARTICULARS OF CLAIM TK_PI

Accident Date

Select a date

Accident Type

Please select

- Please select
- RTA
- Employers Liability
- Occupiers Liability
- Trip/slip
- Other

COMPLETE DETAILS AS APPROPRIATE:

Enter Amount of Claimant's Part 36 Offer:

Part 36 Amt - Claimant

0.00

Part 36 Pymnt Date

Select a date

Medical Expert 1

None selected

- None selected

Medical Expert 2

None selected

- None selected

Medical Expert 3

None selected

- None selected

Medical Expert Instructed

Please Select

- Please Select
- Expert 1
- Expert 2

PARTICULARS OF CLAIM TK_PI

Accident Date

Select a date

Accident Type

Please select

- Please select
- RTA
- Employers Liability
- Occupiers Liability
- Trip/slip
- Other

COMPLETE DETAILS AS APPROPRIATE:

Enter Amount of Claimant's Part 36 Offer:

Part 36 Amt - Claimant

0.00

Part 36 Pymnt Date

Select a date

Medical Expert 1

None selected

- None selected

Medical Expert 2

None selected

- None selected

Medical Expert 3

None selected

- None selected

Medical Expert Instructed

Please Select

- Please Select
- Expert 1
- Expert 2

ALLOCATE A CUSTOM QUESTIONNAIRE

COURT DETAILS TK_PI

Court

(None selected)

(None selected)

Claim number

Ackn of Service due date

Select a date

Defence due date

Select a date

Submit Cancel

SPECIAL DAMAGES TK_PI

CHECK / EDIT DATA AS APPROPRIATE:

Loss of Earnings

0.00

Weekly Salary

0.00

Salary P.A.

0.00

Travel Expenses

0.00

Telephone Costs

0.00

Car Hire

0.00

Policy Excess

0.00

Car Repair

0.00

Car Storage/Recovery

0.00

ENTER DETAILS OF ANY OTHER LOSSES:

Other Loss 1 £

0.00

Other Loss 1 Desc

Other Loss 2 £

0.00

ACCIDENT TYPE / MINOR CLAIMANT? TK_PI

Accident Type

Please select

- Please select
- RTA
- Employers Liability
- Occupiers Liability
- Trip/slip
- Other

Is Client a Minor?

Please Select

- Please Select
- Yes
- No
- Not Known

Submit Cancel

INFANT DETAILS TK_PI

Lit Friend Title

Lit Friend Forename

Lit Friend Surname

Litigation Friend Address

Client Rship to Lit Friend

Please Select

- Please Select
- Son
- Daughter
- Granddaughter
- Grandson
- Other

Submit Cancel

1ST DEFENDANT DETAILS (NON RTA) TK_PI

Def 1 Company Name

Def 1 Title

Def 1 Forename

Def 1 Surname

Def 1 Address

DEFENDANT'S STANCE ON LIABILITY:

Def 1 Liability

Please Select

- Please Select
- Liability Admitted
- Liability Denied
- Contributory Negligence Alleged

Def 1 Solicitor

None selected

- None selected

Def 1 Sol Ref

Def1 Insured?

Please Select

- Please Select
- Yes
- No
- Not Known

Def 1 Insurer

None selected

- None selected

ACCIDENT TYPE / MINOR CLAIMANT? TK_PI

Accident Type

Please select

- Please select
- RTA
- Employers Liability
- Occupiers Liability
- Trip/slip
- Other

Is Client a Minor?

Please Select

- Please Select
- Yes
- No
- Not Known

Submit Cancel

INFANT DETAILS TK_PI

Lit Friend Title

Lit Friend Forename

Lit Friend Surname

Litigation Friend Address

Client Rship to Lit Friend

Please Select

- Please Select
- Son
- Daughter
- Granddaughter
- Grandson
- Other

Submit Cancel

1ST DEFENDANT DETAILS (NON RTA) TK_PI

Def 1 Company Name

Def 1 Title

Def 1 Forename

Def 1 Surname

Def 1 Address

DEFENDANT'S STANCE ON LIABILITY:

Def 1 Liability

Please Select

- Please Select
- Liability Admitted
- Liability Denied
- Contributory Negligence Alleged

Def 1 Solicitor

None selected

- None selected

Def 1 Sol Ref

Def1 Insured?

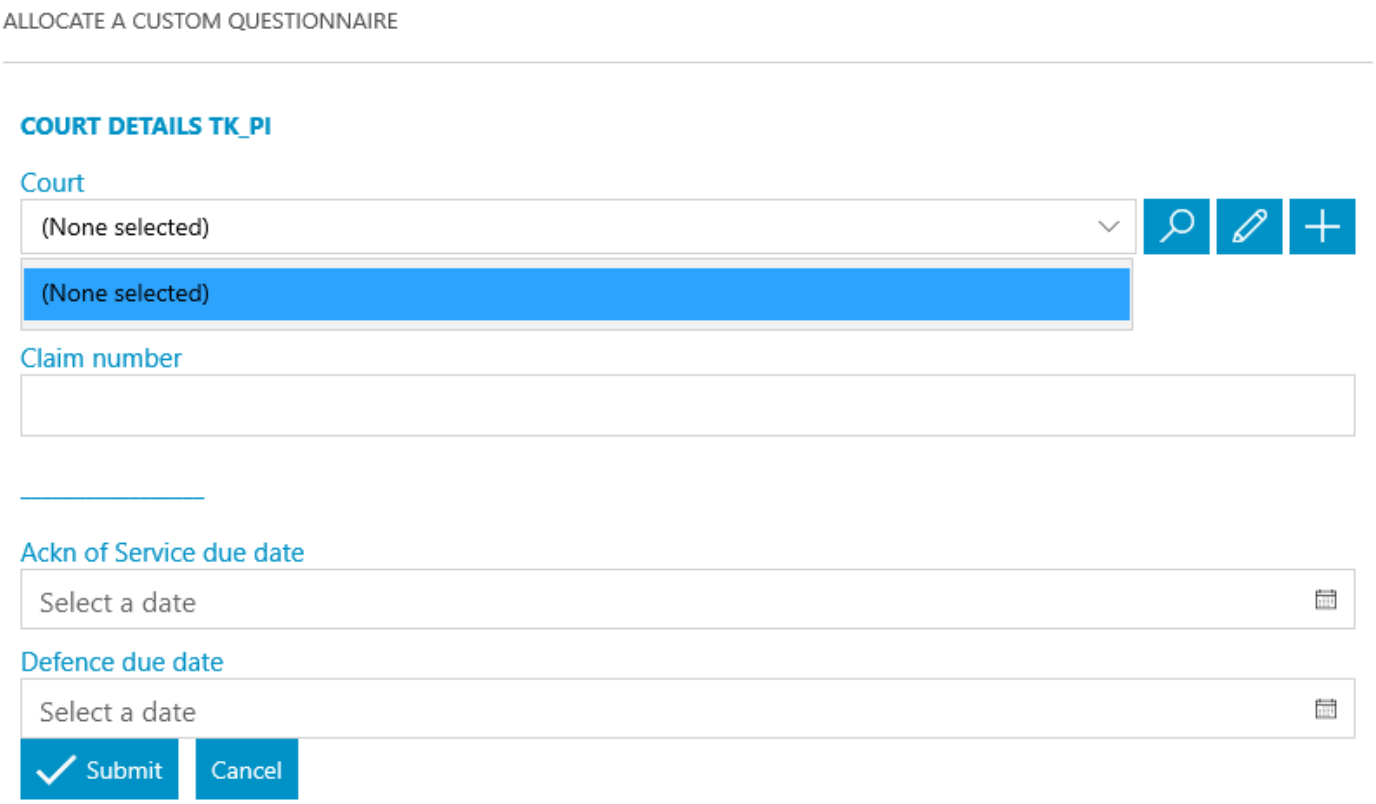
Please Select

- Please Select
- Yes
- No
- Not Known

Def 1 Insurer

None selected

- None selected



This task is to be selected by the user if appropriate. Criteria operate, meaning that the documents will not merge if the field "Defence Received" shows a value of "Yes". This is intended to prevent inadvertent merging of these documents where a Defence has been received and the user has taken positive action to note the fact, but also means that even if the user has failed to select a value for the field they're not prevented from merging the documents.

ALLOCATE A CUSTOM QUESTIONNAIRE

JUDGEMENT TK_PI

Court

(None selected)

(None selected)

Claim number

Ackn of Service due date

Select a date

Defence due date

Select a date

Defence received?

Please Select

Please Select

Yes

No

Not Known

Submit Cancel

DEFENCE DETAILS TK_PI

Select whether admitted or denied as appropriate below:

Client's Role

Please Select

- Please Select
- denied
- neither admitted nor denied
- admitted

Def 1's Role

Please Select

- Please Select
- denied
- neither admitted nor denied
- admitted

Fact of Accident

Please Select

- Please Select
- denied
- neither admitted nor denied
- admitted

Injuries Suffered

Please Select

- Please Select
- denied
- neither admitted nor denied
- admitted

Injury Cause/Circumstances

Please Select

- Please Select
- denied
- neither admitted nor denied

ALLOCATE A CUSTOM QUESTIONNAIRE

MEDICAL EXPERT INSTRUCTION TK_PI

Medical Expert 1

Medical Expert 2

Medical Expert 3

Medical Expert Instructed

Please Select

- Please Select
- Expert 1
- Expert 2
- Expert 3

Submit Cancel

ALLOCATE A CUSTOM QUESTIONNAIRE

MEDICAL EXPERT INSTRUCTION TK_PI

Medical Expert 1

Medical Expert 2

Medical Expert 3

Medical Expert Instructed

Please Select

- Please Select
- Expert 1
- Expert 2
- Expert 3

Submit Cancel

WITNESS DETAILS TK_PI

Witness 1 Title

Witness 1 Forename

Witness 1 Surname

Witness 1 Address

Witness 1 Contact no

Witness 2 Title

Witness 2 Forename

Witness 2 Surname

Witness 2 Address

Witness 2 Contact no

Witness 3 Title

Witness 3 Forename

Witness 3 Surname

Witness 3 Address

WITNESS DETAILS TK_PI

Witness 1 Title

Witness 1 Forename

Witness 1 Surname

Witness 1 Address

Witness 1 Contact no

Witness 2 Title

Witness 2 Forename

Witness 2 Surname

Witness 2 Address

Witness 2 Contact no

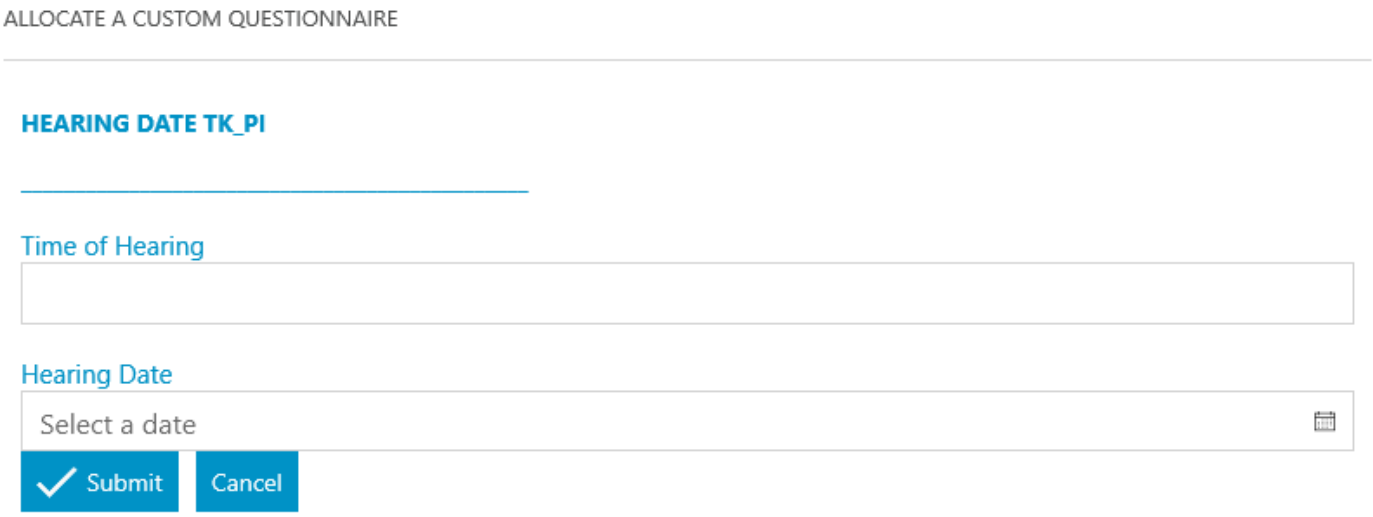
Witness 3 Title

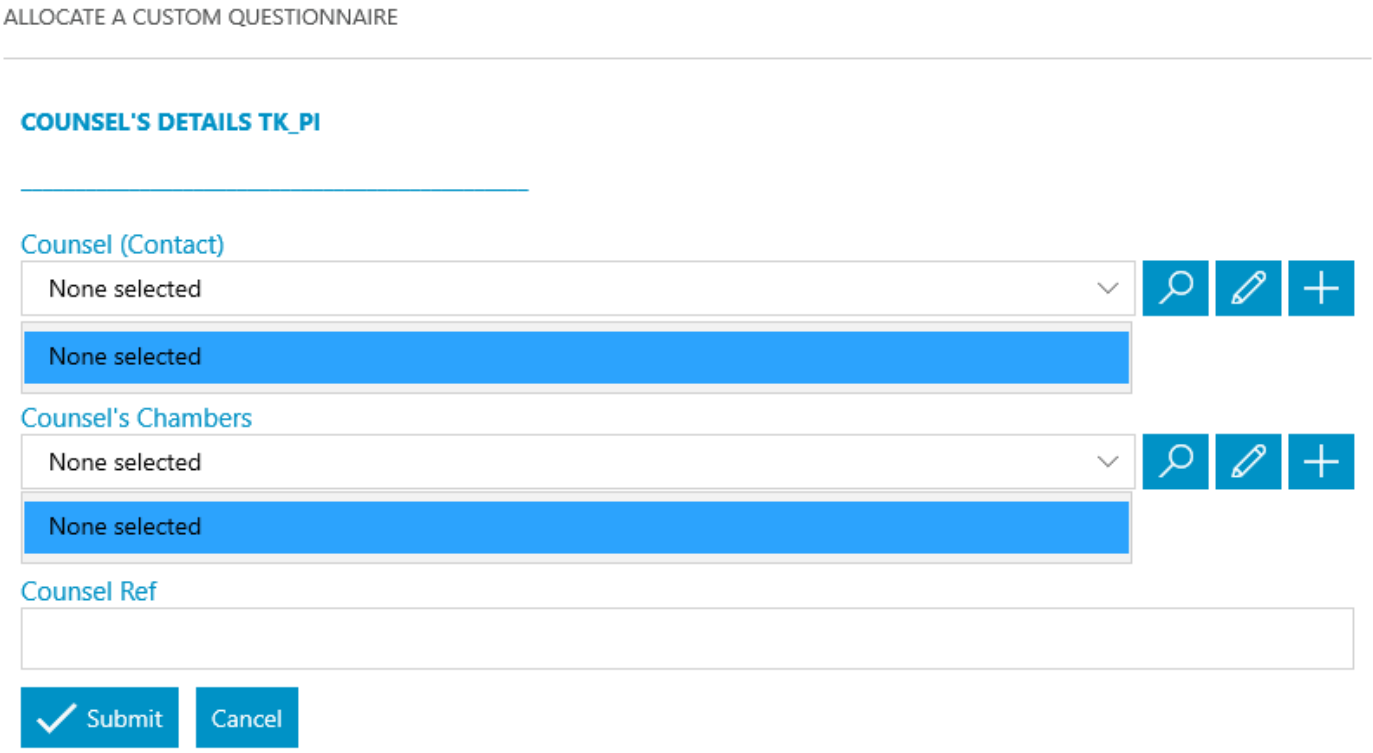
Witness 3 Forename

Witness 3 Surname

Witness 3 Address

This task is intended to be run as and when required – it has been positioned here merely for convenience, but the intention is that it should be accessed by users at the appropriate time during proceedings.





ALLOCATE A CUSTOM QUESTIONNAIRE

MEDICAL EXPERT INSTRUCTION TK_PI

Medical Expert 1

Medical Expert 2

Medical Expert 3

Medical Expert Instructed

Please Select

- Please Select
- Expert 1
- Expert 2
- Expert 3

Submit Cancel

WITNESS DETAILS TK_PI

Witness 1 Title

Witness 1 Forename

Witness 1 Surname

Witness 1 Address

Witness 1 Contact no

Witness 2 Title

Witness 2 Forename

Witness 2 Surname

Witness 2 Address

Witness 2 Contact no

Witness 3 Title

Witness 3 Forename

Witness 3 Surname

Witness 3 Address

ALLOCATE A CUSTOM QUESTIONNAIRE

COUNSEL'S DETAILS TK_PI

Counsel (Contact)

None selected

None selected

Counsel's Chambers

None selected

None selected

Counsel Ref

Submit Cancel

ALLOCATE A CUSTOM QUESTIONNAIRE

HEARING DATE TK_PI

Time of Hearing

Hearing Date

Select a date

Submit Cancel

Brief to Counsel

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

Defendant

BRIEF TO COUNSEL
TO REPRESENT THE CLAIMANT

Counsel receives herewith copies of the following:-

1.

Counsel is instructed on behalf of the Claimant in this matter.

Should Counsel have any questions or queries s/he should feel free to telephone instructing solicitors.

……
{ MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" }

Dated

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

BETWEEN:

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }
Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Defendant

BRIEF TO COUNSEL TO
REPRESENT THE CLAIMANT

Clerk to { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_title } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_forename } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_surname }
{ MERGEFIELD "TK_PICOURTDETS_tkCOUNSELCHBRS_address" }

Case Summary

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

Defendant

CASE SUMMARY

Background

1.
2.

Proceedings

3.
4.

Witness Evidence

5.

Expert Evidence

6.

Synopsis of issues

Liability
7.
Causation
8.
Quantum
9.

Outstanding Issues

…… ……
{ MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" **}**

On behalf of the Claimant On behalf of the Defendant

REF: REF:

Dated ……..……..

Client Advice on Defence

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\ea449dd6-d12a-4645-9397-4149e85cb081\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }
{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I write to report that I have now received the Defence of from the other party's solicitors setting out exactly which aspects of the claim are disputed.

At this stage of the case the Defendant can deny or not admit, various aspects of the claim. Although the Defence gives some explanation of the reasons for admissions and denials made, it may only be at a later stage, after evidence is exchanged, that we understand the full reasons for the terms of the Defence and whether the stance taken by the Defendant can be justified by the evidence.

I enclose a copy of the Defence. As you will see, this sets out the Defendant's response to the Particulars of Claim which gave your case. However it may be useful if I summarise the points taken by the Defendant and the way in which the Defence defines the issues.

(1) The role of the Defendant is { MERGEFIELD TK_DEFENCE_TKDEF1_ROLE }.

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\ea449dd6-d12a-4645-9397-4149e85cb081\\footer.doc"}

(2) Your role is **{** MERGEFIELD TK_DEFENCE_TKCLI_ROLE **}**.

(3) The fact of the accident is **{** MERGEFIELD TK_DEFENCE_TK_FACT_ACC **}**.

(4) The cause and circumstances of the injures are **{** MERGEFIELD TK_DEFENCE_TK_INJ_CAUS **}**.

(5) The allegations that the injuries were caused by the Defendant's fault are **{** MERGEFIELD TK_DEFENCE_TKDEF1_FLT **}**.

(6) The injuries suffered are **{** MERGEFIELD TK_DEFENCE_TK_INJ_SUFF **}**.

(7) The expenses and losses claimed as a result of the injuries are**{** MERGEFIELD TK_DEFENCE_TK_EXP_LOSS **}**.

Either

[Although I need to detail the points taken by the Defendant please do not think that the Defence necessarily undermines your case – a Defendant may often deny or not admit liability, even though ultimately the Defendant recognises that the court may find in your favour on this issue.]

Or

[It is encouraging that the Defence formally accepts responsibility for the injuries. As I would never expect a Defendant to admit the nature and extent of the injuries, losses and expenses, the terms of the Defence are the best we could hope for at this stage.]

The Defence is intended to set out precisely the Defendant's position, and supersedes any points or concessions that may have been made before. Usually the Defence sets out the Defendant's final position, although the court can subsequently allow any part of the Defence to be amended. If there should be an amendment to the Defence at a later stage, I will advise further.

[The Defence does therefore supersede the admission previously made by the Defendant. It is regrettable that after making this admission the Defendant now seeks to withdraw it. I have in the circumstances asked the Defendant to explain why the earlier admission is to be withdrawn. Once I have a response I will be able to advise whether I think the court will allow the Defendant to withdraw the admission or if it may be possible to ask the court to rule that the Defendant must stand by the admission made previously. For the moment I must advise on the basis of the Defendant's case as set out in the Defence.]

[The Defendant has sent with the Defence a request for some further information concerning the background to the claim. Again, this is quite usual practice and one of the reasons why I have tried, so far as possible to obtain very detailed instructions from you at the outset. Whilst I have much of the information necessary to respond to the request for additional information, there are some points upon which I should like to obtain your further instructions.

It may not be appropriate to give answers to all the questions at this stage and in any event, you may not be able to be specific about some of the points raised. However I shall be grateful if you can consider what information it is possible to give above and beyond that which I already have

from you.]

Generally, I think it will be useful to meet at this stage so that we can discuss points arising out of the Defence.

Now that we know the Defendant's exact position on the various aspects of the claim, I am reviewing the case generally so that we can be satisfied that all aspects have been properly put before the court in the statements of case and checking to see if there are any points the Defendant should be asked to clarify or answer. More generally, I will now review the evidence on the basis of the statements of case to ensure that evidence will be ready for exchange by the appropriate time and deal with the matters that remain in dispute.

I will let you know when we are ready to move on to the exchange of evidence with the Defendant. Meanwhile I anticipate that the court will require reports from the parties suggesting how the case should best proceed. I will advise further once I am ready to make this report to the court.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Client Advice on Disclosure

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\aa34c414-b8f7-421d-9725-869e26433494\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }
{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I am now about to deal with the stage in your court case known as 'disclosure'.

You will know, from my letter summarising the steps in the court proceedings, that this stage of the case involves disclosure of relevant documents. I must therefore prepare a list of all documents you have, or have had, relating to the claim. This list must be filed at court and sent to { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME } ('the Defendant').

[In return, the Defendant must file at court, and send to us, a list of all documents the Defendant has, or has had, relating to the claim. We may well obtain useful information from such documents disclosed by the Defendant.]

Disclosure is a very important part of the preparation of the case for a final hearing, if necessary. Accordingly it is essential that the list of documents sent out on your behalf complies with the requirements of the court. As you will need to sign the list confirming that you have

complied with these requirements, it is important that I explain in some detail exactly what the court expects.

1. The documents to be disclosed

(1) The court expects disclosure of:

(i) documents on which you rely; and
(ii) documents which adversely affect your case; and
(iii) documents which adversely affect the Defendant's case; and
(iv) documents which support the Defendant's case.

Either

[If you refer back to the letter I sent you detailing points raised in the Defence, you will know the main issues in the case, which should help identify documents which support or adversely affect any party's case.]

Or

[In a case of this kind the court will however expect disclosure only of such documents which relate to claims for financial losses and expenses arising out of the injuries.]

(2) The term 'documents' includes any:

(i) written documents;
(ii) photographs;
(iii) video recordings;
(iv) tape recordings;
(v) computer records;
(vi) e-mails;
(vii) other permanent or semi-permanent records.

(3) However only documents in your control have to be disclosed. The court regards a document as being in your control if:

(i) it is in your physical possession; or
(ii) you have, or have had, a right to physical possession of the document; or
(iii) you have, or have had, a right to see or take copies of the document.

(4) In a case of this kind typical documents which would be relevant and ought to be disclosed would include:

(i) receipts for any property damaged in the accident;
(ii) receipts for any expenditure incurred as a result of the injuries;
[(iii) any documentation relating to how the injuries were suffered;]
[(iv) any contract or written particulars of terms of employment;
(v) safety literature;]
[(vi) tax documentation;
(vii) State benefit documentation;
(viii) pay slips or pay advices.]

You do not need to let me have letters or other documents I have sent you as of course copies are in my file, and I am arranging to include these where appropriate, in the list.

2. The duty of search

(1) The court expects a reasonable search to be made for documents.

(2) In particular I need to know if you have not undertaken any search for:

(i) documents pre-dating a particular date;
(ii) documents which may be at any particular location;
(iii) documents in any particular category.

Unless I hear from you to the contrary I shall assume the search has not been limited in any such way.

3. The format of the list

(1) The list must disclose any documents in your control, including any that have come into existence since the case began. Accordingly if you do have any further documents, please could you let me have them without delay.

(2) The list must also disclose any documents you have had but no longer have, with details of:

(i) a description of any such documents; and
(ii) what has happened to those documents.

If there are any such documents please can you let me have the necessary details. Unless I hear from you accordingly I shall assume there are no such documents.

I am sorry to have to write at some length on this stage of the case, but it is important to stress that the court expects disclosure of relevant documents to be dealt with very carefully.

Based on the documentation already available to me I have prepared and enclose a draft list of documents for your approval. Once you have read this letter would you please check the draft list to ensure that all relevant documents are disclosed. If you are content that the list is complete, please sign it in the space provided on the second page and then return it to me in the pre-paid envelope also enclosed. If however there are any further documents that ought to be disclosed in the list, please could you return the draft list either amended or with a separate note attached detailing those documents so that the list can be amended ready for final approval.

If you are not sure whether further documents ought to be disclosed in the list please telephone me.

I look forward to hearing from you.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Client Advice RE Proceedings

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\a3660836-f137-4483-a0a5-8c0d119d099d\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }
{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I refer to our recent advice and now write to recap generally and offer my advice in the light of all the information now obtained.

[I have also been able to obtain the opinion of Counsel, your Barrister, on the case.]

I will deal, as I did initially, with both liability and quantum before moving on to summarise the current status and the action I now think is appropriate.

1. Liability

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1LIABADM } = "Liability Admitted" "The Defendant has admitted liability, so this should not be in dispute. Whilst, strictly, the Defendant could still defend the claim, I consider that the evidence obtained suggests that the liability of the Defendant will be established in any event." "{ IF { MERGEFIELD "TK_PIDEF2DETAIL_tkDEF2LIABADM" } = "Liability Admitted" "The Defendant has admitted

{INCLUDETEXT
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liability, so this should not be in dispute. Whilst, strictly, the Defendant could still defend the claim, I consider that the evidence obtained suggests that the liability of the Defendant will be established in any event." "**{** IF **{** MERGEFIELD "TK_PIDEF3DETAIL_tkDEF3LIABADM" **}** = "Liability Admitted" "The Defendant has admitted liability, so this should not be in dispute. Whilst, strictly, the Defendant could still defend the claim, I consider that the evidence obtained suggests that the liability of the Defendant will be established in any event.
" "*** [The Defendant has not admitted liability. However, on the information now available, my advice is that I would hope to establish that the Defendant is liable. It is, however, right to point out that the case on liability may still have to be reassessed once further information relating to the Defendant's stance is available.]

Or

**** [The Defendant has not admitted liability. On the information now available, my advice is that you may succeed in showing the Defendant is liable but, equally, the Defendant may be able to defend the claim successfully. Much depends upon how a court would, ultimately, view the evidence. Nevertheless, and given the importance of the claim, it does seem appropriate to proceed, although it is right to warn you of the potential difficulties.]

Or

*** [The Defendant has not admitted liability. I have, as you know, encountered some difficulty in completing enquiries that would help me to advise on whether the Defendant will be liable.

As, on the information available, I consider that the Defendant may be liable, and given the importance of the claim to you, I think it is appropriate to proceed. Once proceedings are under way, court orders should allow us to complete investigations, at which stage I will be able to advise further on liability.

It is, however, right to point out that the case on liability may have to be reassessed once we have been able to obtain all the information we need.]" **}**" **}**" **}**

2. Quantum

{ IF **{** MERGEFIELD TK_PIVALUE_TKNETVLCLAIM **}** <> "" "My advice on quantum, as set out in earlier correspondence, is that the potential value of the claim is in the region of £**{** MERGEFIELD "TK_PIVALUE_TKNETVLCLAIM" **}**" "As some information on quantum is still awaited, I am not yet able to give you a firm view on the value of the claim, although I will do so when I can." **}**

*** [I should remind you that any valuation of the claim is subject to allowances for the risks of litigation and arguments that the Defendant can advance on how the level of compensation should be assessed.]

3. Current status

The claim has not been resolved as **{** IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1LIABADM **}** = "Liability Admitted" "*** [whilst progress has been made on liability, the Defendant has not put forward an acceptable offer of settlement]/ *** [although the case is not yet capable of final settlement, I think it is reasonable for there to be some interim provision, but no suitable proposals for this have been put forward by the Defendant.]" "**{** IF **{** MERGEFIELD

"TK_PIDEF2DETAIL_tkDEF2LIABADM" **}** = "Liability Admitted" "*** [whilst progress has been made on liability, the Defendant has not put forward an acceptable offer of settlement]/*** [although the case is not yet capable of final settlement, I think it is reasonable for there to be some interim provision, but no suitable proposals for this have been put forward by the Defendant.]" "**{** IF **{** MERGEFIELD "TK_PIDEF3DETAIL_tkDEF3LIABADM" **}** = "Liability Admitted" "*** [whilst progress has been made on liability, the Defendant has not put forward an acceptable offer of settlement]/*** [although the case is not yet capable of final settlement, I think it is reasonable for there to be some interim provision, but no suitable proposals for this have been put forward by the Defendant.]" " the Defendant has maintained a denial of liability and not put forward any offers." **}**" **}**" **}**

4. My advice

Accordingly, given the merits of the case and the potential level of compensation, my advice is that *** [, unless a satisfactory settlement can now be achieved,] it is appropriate to pursue the claim by court action against the Defendant.

Unless I hear from you to the contrary, I shall assume that you are prepared to commence court proceedings against the Defendant at this stage if necessary.

*** [I should like, however, to make a final effort at negotiation before court proceedings are commenced. So, whilst I will, with your approval, move on to prepare the court papers I will also, again subject to your instructions, pursue some further negotiations and will be writing, in the near future, to explain what form I think these should take.]

5. Costs

{ IF **{** MERGEFIELD TK_PICLIENTINFO_tkTYPEFUNDING **}** = "CFA" "
It is right to advise you on the usual rules relating to costs, following issue of proceedings, although those rules are modified under the terms of the conditional fee agreement you have entered. Accordingly:

- the issue of proceedings does not affect the conditional fee agreement we have already made in respect of your own costs;

- once court proceedings have been issued, you have, potentially, a liability for the Defendant's own legal costs. However, you should only have any responsibility for the costs of the Defendant if your claim were to fail or if you were to drop the claim after the issue of court proceedings. If any such liability arises then this would be met under the terms of the insurance policy you took out at the time of entering the conditional fee agreement;

- if the claim succeeds, the Defendant will have to pay the costs of the claim although this would mean the Defendant only having to pay most, and probably not all, of the costs." "

It is right to advise you on the usual rules relating to costs, following issue of proceedings. Accordingly:

- once court proceedings have been issued, you have, potentially, a liability for the Defendant's own legal costs. However, you should only have any responsibility for the costs of the Defendant if your claim were to fail or if you were to drop the claim after the issue of court proceedings;

- if the claim succeeds, the Defendant will have to pay the costs of the claim although this would mean the Defendant only having to pay most, and probably not all, of the costs." **}**

I hope that the summary in this letter brings you fully up to date and usefully confirms the action I now think appropriate.

I am now going to work further on the case and will write to outline the further steps I shall be taking as soon as I can.

Yours sincerely

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

As the Defendant has failed to reply to your claim within the permitted time limits, I have now made an application to the Court for Judgment to be entered by default.

I will contact you further when I have heard from the Court.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

RE: Your Claim

I write to confirm that court proceedings have now been issued on your behalf and, in the near future, copies of the formal court documents detailing your claim will be received by the Defendant.

I think this is a convenient point to outline the way in which the court case will proceed and to remind you of the costs implications of court action.

I hope this will give you a clear picture of the action I will be taking on your behalf and usefully confirm some aspects of earlier advice.

1. Stages of the court process

The steps in the court process can be summarised as follows:

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(1) *Details of the case*

The court papers sent to the Defendant include the Particulars of Claim which set out what has happened, the effect of what has happened, and why the Defendant is blamed.

The Defendant has 14 days, from receiving the court papers, to indicate whether the claim is to be defended.

(2) *The Defence*

The Defendant must respond to the Particulars of Claim by a Defence. Assuming the Defendant first indicates the claim will be defended, the Defendant will have 28 days from receipt of the court papers to send out the Defence.

The Defence must confirm which parts of your claim are admitted, which parts are not admitted but not denied, and which parts are denied. The Defendant must give reasons for the matters that are denied. In this way, the Defence will define which aspects of the case have to be proved at a later stage and should help to narrow, to some extent, those issues.

If the Defendant fails to indicate within 14 days whether the claim is to be defended, or fails to send out a Defence within 28 days, I can ask the court to enter judgment in your favour. Any such judgment would finalise the question of liability in your favour, leaving only the amount of compensation to be decided by the court. This would be fixed at a hearing if terms could not be agreed in the meantime.

It is quite likely however that the Defendant, or solicitors instructed to act, will ask for further time over and above 28 days, to prepare the Defence. The Defendant should not generally have more than 42 days from receipt of the court papers to send out a Defence, although in appropriate circumstances the court may allow longer. I will let you know if this timescale is extended.

(3) *Exchange of further detail on the case*

Once I have the Defence I will:

(i) write to outline the issues that have emerged;
(ii) consider whether I need to reply to the Defence on your behalf. A reply is not normally required but sometimes fresh points can be raised in the Defence which do require comment;
(iii) consider whether any questions need to be put to the Defendant to obtain further information on matters arising out of the Defence.

The Defendant may well send with the Defence a request for some further information on your case, and I will let you know if I need further instructions from you to deal with any such request.

(4) *Allocation and case management directions*

When statements of case have been exchanged, the court will ask the solicitors acting for each party to file a report. That report will detail the background to the proceedings, the issues that have arisen, the evidence that will be necessary to deal with those issues and any other matters that the court might need to make a ruling on. The purpose of this is to ensure that the issues which remain in dispute at that stage can be resolved as justly as possible. For these purposes, the court is particularly concerned to ensure that the matter is dealt with expeditiously, economically and proportionately.

The court may at that stage direct any specific issue to be determined ahead of other issues as this sometimes helps in resolving the whole case.

When the court has considered the reports a decision will be made:

(i) allocating the case to a particular 'track'. I will explain in more detail what this involves when the allocation has taken place but briefly there are particular tracks suited to particular types of case, designed to achieve the overall objective of a just outcome;
(ii) the court will also give appropriate directions, which again I will explain in more detail once made. The purpose of the directions is to help guide the case, again as justly as possible, through the remaining stages towards a final hearing.

(5) *Disclosure of documents*

The directions given by the court will normally direct all parties to give disclosure of documents.

This involves the preparation of a list containing all documents which that party has, or has had, possession of relating to the issues in the case, as these have been defined by the Particulars of Claim and the Defence. That list must also contain written confirmation that the list is complete and that it has been prepared after an appropriate search for any documents that might be relevant.

Sometimes, particularly if the issues are narrowed or there is unlikely to be any relevant documentation, the court may dispense with the need for a formal list from one or more parties but, in the meantime, I think it best to assume that disclosure will take place and to give advance warning of what this will involve.

I may well already have all relevant documents from you but to ensure that I will be ready to deal with this stage of the case promptly, it would be helpful if you could give the matter some thought, and if necessary search for any further relevant documents, so that as and when we reach this stage of the process I will be able to ask you for:

(i) any further documents still in your possession (except for the letters and documents I have sent you as of course I already have these), including documents that have come into existence or into your possession since the claim started. If at that stage you are in doubt as to the relevance of any documents it would be best to let me have them;
(ii) a list of any documents you once had but no longer have, relating to the case in any way, stating the identity of those documents and if known when you last had them and what became of them.

As disclosure of documents is such an important stage of the case, I will write to you again confirming what is required when we reach it.

(6) *Dealing with the documents disclosed*

Any party is entitled to ask for copies of documents disclosed in another's list.

Of course in accordance with the protocol, documents have already been obtained from the Defendant but I wil, nevertheless be reviewing the matter once we have the Defence to see if there are any further documents which the Defendant should be disclosing. If so I will check the Defendant's list to ensure that disclosure has been given and seek copies of such documents so that I can send further copies to you for your information and comment.

If there are any further specific documents you expect the Defendant to have concerning the issues that have emerged, it would be helpful to have a list from you when we reach this stage of the case, identifying either particular documents or if necessary, categories of document.

(7) *Exchange of witness statements*

The court will also usually give a direction that each party must disclose to any other party the statements of any witness of fact on whose evidence it is intended to rely.

The court will generally stipulate that this exchange should take place on the same day so that no party has the advantage of seeing the other's statements first.

As I mentioned when preparing your statement, that statement is not necessarily intended for disclosure to the Defendant and before dealing with this stage of the action I shall most likely be preparing an up-to-date statement concentrating on the main issues of the case and covering any further points that may arise out of the earlier stages. Once any up-to-date statement is completed or I have decided we can rely on the existing statement, this together with any statements from other witnesses on whose evidence you rely will be sent to the Defendant. I will let you have copies of statements produced by the Defendant.

(8) *Exchange of expert evidence*

To assist the court in making a decision on the case it is helpful to have expert evidence – that is guidance from a suitably qualified expert to help the court in deciding any issues arising in the case.

However the court's permission is required for any party to rely on any expert evidence at a hearing. Permission to rely on expert evidence is one of the matters the court will deal with when giving case management directions (although initially the court may simply direct the arrangements for disclosure of evidence, with permission to rely on the evidence being considered once that disclosure has taken place).

I will now deal with some specific points concerning expert evidence.

(i) Expert medical evidence

I have sent to the Defendant with the court papers the medical evidence obtained from our expert/experts.

The Defendant must decide whether to agree that evidence (and medical evidence is very often agreed) or if it is not agreed, to try and identify points of disagreement by the Defence.

I hope that the medical evidence already obtained and disclosed should be all we need to confirm the injuries suffered and the effect of these, although I will let you know at the appropriate stage if I think anything further is required.

(ii) Other expert evidence

Any other expert evidence will be exchanged at or soon after the time when witness statements are exchanged. Like witness statements, it may be appropriate for reports to be exchanged, if the Defendant has corresponding evidence, on the same day.

Once the Defence has clarified the issues, I will advise you on whether I think it is necessary to rely on further expert evidence.

(iii) Agreement of expert evidence

I hope that it may be possible for the expert evidence to be agreed as the agreed opinion can then be used in written form by the court to help reach a decision. That avoids the need for oral expert evidence to be given, which usually makes any final hearing date easier to arrange.

If there should be more than one expert in any particular field, the court, with a view to encouraging agreement, will normally direct the experts to confer and prepare a joint statement either confirming agreement or identifying points of disagreement. This is very useful in helping to narrow the issues and can often help promote a settlement of the case.

(iv) Permission to rely on expert evidence

As already mentioned, the court needs to give permission before any party can rely on expert evidence at any hearing. I will ask the court for permission to rely on the expert evidence disclosed to the Defendant when the court reviews progress, although it may be that the court will not be able to deal with this or give a final decision about whether the evidence in written form should suffice until after exchange of evidence.

Once further expert evidence has been exchanged, or we can confirm that we are content to rely on the evidence already obtained, most of the preparatory stages of the case will have been dealt with and each party will have a very clear idea about the case of the other.

(9) *Review*

After all these preparatory stages have been dealt with, the court will expect further reports from the solicitors for the parties confirming the progress made. This is a further opportunity for the court to give any further directions that may be appropriate to ensure the case reaches a just conclusion as soon as possible.

I would hope that at or soon after this review, the court will arrange a final hearing date, if appropriate, for any issue the court considers ought to be dealt with before other issues in the case.

Whilst sometimes the court may arrange a final hearing date when first reviewing the case, it is more likely the court will give what is known as a 'trial window'. That will provide a general indication of when the case is likely to be heard so that I can, when reporting on progress to the court, confirm dates that would be convenient to those involved.

(10) *The final hearing*

Once a final hearing date has been arranged, I will carefully review all the evidence to offer any further advice that may be appropriate at that stage and to ensure that the case is ready to be heard.

The hearing will often deal with all the issues in the case, so that the matter reaches a conclusion there and then. However as already indicated, it may be appropriate for a particular issue to be dealt with as a preliminary, in which case some of the stages already outlined will be confined to that issue and the final hearing will be on that issue only. I will explain in more detail how issues can be dealt with separately, if this seems appropriate, when we receive the Defence or if the court directs issues to be dealt with separately.

At the final hearing a judge will read the statements of case and consider the documents, witness statements and expert evidence disclosed. The judge will then reach a decision on the issues the hearing is concerned with, so this may involve a ruling on liability, an assessment of the appropriate level of compensation, or both.

Should a final hearing be necessary, I would arrange for you to be represented, usually by a barrister.

I think it best to summarise all the stages in the case as I hope this overview will assist when I write to report to you as we deal with each stage. It may however be possible to avoid some of the stages, if the issues in the case can be narrowed and of course a settlement of the case can be achieved at any stage during the court process if suitable terms are offered by the Defendant. Should terms be agreed, the court can then be asked to make a final order in those terms without the need for a hearing which goes into the issues.

2. Timescale

At this stage, I am able to give only a very broad indication of timescale. You will gather from the stages in the court process, that it is likely to be about a month before the Defence is received and it may be a further month or so after that before the court can deal with allocation and case management directions. However once case management directions have been given we

should have a much better idea of when the case is likely to reach a conclusion, as the court will normally aim to ensure any final hearing date takes place within about 6 months of those directions being given. Of course the actual timescale must depend on the circumstances of each case and the time by which the evidence required by the court to make any final decision will become available.

I will therefore provide a more detailed timetable for you once the court has had the opportunity of giving appropriate directions.

3. Negotiations and settlement

Most cases of this kind do reach settlement without the need for a hearing in which you would need to give evidence. As I have already mentioned, the issue of court proceedings does not prevent the parties reaching agreement at any stage, and the exchange of offers (either informally or on the more formal Part 36 basis) which I explained to you at an earlier stage, is just as applicable after the issue of proceedings as it is prior to those proceedings being commenced.

Accordingly, although court proceedings have been issued, it is unlikely that you will have to give evidence at any court hearing as I will deal with all the steps in the case, although you would need to attend any final hearing. The intention of issuing proceedings is essentially, to try and force a settlement of the claim sooner rather than later.

4. Costs

Finally, now that proceedings have been issued, may I remind you that there is a change in the position on costs. The principal changes are outlined below.

(1) *Your own costs*

The issue of proceedings does not affect the conditional fee agreement we have already made in respect of your own costs.

(2) *Recovery of costs from the Defendant*

If your claim succeeds, you would not usually have any significant liability for the costs of the Defendant and moreover the Defendant would have to pay most, though not all, of your legal costs.

(3) *The Defendant's costs*

Should the claim not succeed, the Defendant would be entitled to ask the court to order that you pay the Defendant's own legal costs. Of course you would only potentially be responsible for the costs of the Defendant if the claim were to fail or the claim were to be dropped. Should you have any such liability then this would be met under the terms of the insurance policy you took out at the time of entering the conditional fee agreement for legal expenses.

I will of course write to you further at each stage of the case, but hope this letter brings you fully up to date in the meantime and usefully summarises the action I will need to take on your behalf to deal with the stages of the court process.

Yours sincerely

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

Thank you for signing the Court Forms and returning them to me.

As you will recall from my last letter, the Defendant has failed to make any acceptable offers of settlement in the claim and it became necessary to take the matter to the more formal stage of issuing court proceedings.

I confirm that having taken your instructions, the claim has now been issued in the County Court on your behalf. Once the papers are received back from the Court, they will be sent to the Defendant who then has 14 days to acknowledge the claim and then a further 14 days to file a Defence.

I will therefore update you in a month when the Defence is filed to advise further.

Yours sincerely

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Client Confirm Settlement

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I am pleased to confirm the settlement of your claim in the global amount of { ASK settlement "Enter amount of settlement." \d "£" }{ ref settlement * MERGEFORMAT }.

I hope to receive your damages cheque within the next 28 days and will keep you informed of developments.

Yours sincerely

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Client Enc POC

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }
{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I have now prepared the court papers setting out details of your claim against the proposed Defendant.

These papers comprise:

(1) *A Claim Form:* this is the document used to start court proceedings and gives details of the parties and a summary of the claim. You will note that, in order to calculate the appropriate court fee, it is necessary to give the court an indication of the value of the claim. I should stress that this means completing the form with the top figure from the relevant band and that this figure is purely for this purpose and does not supercede the advice previously given on the estimated value of the claim.

(2) *Particulars of Claim:* these give, in concise form, the factual background, the reasons why the Defendant is considered responsible and the remedy sought.

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(3) *Schedule of Expenses and Losses:* this sets out, in some detail, the financial losses and expenses resulting from the injuries which are to be claimed, along with damages for pain and suffering, as the remedy.

{ IF **{** MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR **}** = "Yes" "

Certificate of Suitability of Litigation Friend: as **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** is under 18, the Court Rules require that the proceedings, whilst taken in **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}**'s name, must be supported by an adult who is known as the 'litigation friend'. I believe you are the most suitable person to act as litigation friend and hope, therefore, that you are happy to act in this role. The Court Rules also provide that you must agree, in writing, to act and give the court certain assurances. It may be useful if I summarise what signature of the form means.

(a) You are agreeing to act as the litigation friend of **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}**.

(b) You are confirming that you have no interests which conflict with those of **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** in the claim.

(c) You are accepting responsibility for any liability **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** may have for the legal costs of the Defendant in dealing with the claim. With regard to costs however, I do not think that giving this assurance will lead to any liability on your part to pay costs as:

(i) this concerns only the legal costs of the Defendant, as the costs of **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** in pursuing the claim will continue to be covered by the Conditional Fee Agreement;

(ii) **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** would only have liability for the legal costs of the Defendant if the claim were unsuccessful and I would hope the claim will succeed;

(iii) even if the claim were unsuccessful, the insurance policy, taken out when the Conditional Fee Agreement was entered, would then cover any liability **{** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}** might have to pay the costs of the Defendant.

Assuming you are happy to give these assurances to the court, please sign the form in the space provided." "" **}**

These documents, subject to approval by you, will be sent to the court and then, in turn, to the Defendant. The documents will be accompanied by the medical evidence.

As I explained at an earlier stage, it is important that the facts stated in these documents are correct and so the court expects you to sign the forms confirming as much.

Please therefore carefully check the enclosed documents. If any amendments are required, please show these on the document concerned. If the facts in the documents are correct as presently drafted, please sign the statement to this effect on each document and then return these to me.

It is my duty to remind you that if the court took the view that any facts were stated without an honest belief in the truth of those facts, proceedings for contempt of court could be taken by the court against you. The court will expect the Defendant, similarly, to confirm the truth of any response to the claim.

I look forward to receiving the documents back, signed and approved or with appropriate amendments, as soon as possible. Once the documents are signed and approved, I will be able to commence court proceedings and outline to you how the matter will then proceed.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Client Enc Trial Bundle

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

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{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

Please find enclosed herewith the trial bundle for your case, a copy of which has been forwarded to both the Court and Counsel.

Should you require any further information with regard to the trial bundle or the trial, please do not hesitate to contact me.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

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Client Enclose Copy Statement

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I enclose a copy statement I have prepared from your instructions. Please read it carefully. Occasionally there can be errors of fact or of emphasis in statements and obviously it is for you to confirm the facts are correct. Please write to me with your observations or if there are any points which cause concern. It is important that you should approve the statement for the following reasons:

If your case goes to court the statement will form the basis of your evidence, the statement will have been disclosed to our opponent. You will not be allowed to substantially depart from your statement when you give evidence. Any adverse comments or mistakes in the statement will therefore bind you.

If you write to me pointing out a mistake in the report it is always helpful to me if you can refer to the specific paragraph in the statement which contains the mistake so that I can quickly find the point you are making. Please retain the enclosed statement for your own records and refer to it before speak to anyone regarding the case or when the case finally goes to trial. Do not let

anyone else see your statement.

Please do not hesitate to contact me should you have any questions or queries.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Client Re Allocation

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

Following receipt of the Defence, I have received a request from the court for a report on the case and suggestions as to how the matter should now move forward. The Defendant's solicitors will have received a similar request for a report.

I am outlining to the court the background to the matter and inviting the court to make directions which I hope will help to move the case forward towards a final hearing.

To do this, the court will need to allocate the case to a track and give appropriate directions for trial.

Once this 'trial window' is known, we will have a good idea of when the hearing will take place, if a settlement cannot be agreed meanwhile.

The court may even fix a hearing date at this stage.

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So that I can ensure that any hearing date or time within which the hearing date will be arranged in due course is convenient for you, and indeed other people involved in the case, I should be grateful for details of your availability during the next 12 months.

I will let you have a further report once the case has been allocated to a track and the court has given case management directions. I will then be in a position to outline in more detail any decisions made by the court on the evidence that each party can rely on, as well as the likely timescale for then dealing with progress of the case.

I expect to hear from the court within the next few weeks.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Client Re Trial Date

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

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Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

I write to confirm that the court has now arranged a hearing date for your case against the Defendant and to provide information about the arrangements for that hearing.

The hearing will take place on { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE\@ "d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE\@"MMMM yyyy" } at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }.

I would be most grateful if you could confirm you can attend and also let your witnesses know of the trial date.

The case is due to commence at { MERGEFIELD TK_PICOURTDETS_tkHEARINGTIM } on the above date although in practice it may be necessary for the hearing to begin later in the day, depending upon other work the court has to deal with on that occasion.

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Please would you be at court for say 9.15am that morning to allow sufficient time for a full review of the case before the hearing begins.

I have arranged for you to be represented by a barrister ('Counsel') at the hearing. My role has been to fully investigate and prepare your case for the final hearing whilst Counsel's role is to present the case at court.

Counsel can, as my firm has done, enter a conditional fee agreement with you so that Counsel is also acting on a 'no win – no fee' basis. Very often, when we have entered such an agreement, Counsel will agree to enter an agreement with you in the same terms. However as that will involve Counsel running the risk of being unpaid in the absence of a success under the terms of the agreement, it is right to let Counsel look at the papers (on the basis there will be no charge for doing just this) to decide whether Counsel is prepared to enter a conditional fee agreement. I should know Counsel's views on this in the near future and will report further once I hear.

I will by the hearing have completed my work on the case. Although I or one of my colleagues will be at court just in case any further matters do arise, at that stage I shall leave Counsel to deal with them at the hearing.

You are of course aware of the issues that have emerged as the case has gone through all the preparatory stages. The purpose of this final hearing is for the judge after reading each party's case, considering the documents and hearing the evidence, to reach a decision on the matters in dispute.

What happens at the Trial

On the day, please attend the Court and ensure that you and your witnesses are in smart dress. You will need to sign in with the Usher who will direct you to the correct area. Your barrister will come and find you and at the present moment I will also be attending, although depending on my other work commitments, this position may alter. If this occurs I will let you know as soon as I can, but can assure you that the barrister will be fully conversant with your case and will take care of you on the day.

When you are called into the courtroom, you will be shown to the witness box or table where a copy of the bundle will be placed. I remind you that the court room is a public forum and accordingly members of the public or press are able to attend and make a public record, save for in exceptional circumstances.

You will then be asked to take the oath. This means you have to swear to tell the truth on the holy book of your religion. If you prefer you can "affirm", that is to promise to tell the truth.

It may be helpful if I briefly summarise the procedure the court hearing will follow.

(1) Counsel will tell the judge about the general background to the case. The judge will probably be familiar with the matter from a review of the papers relating to the case, which have already been filed at court.

(2) You, followed by any witnesses you rely on, will give evidence. The judge may read your written statement or may ask you to give evidence confirming that statement. The Defendant's Counsel will then have the opportunity of putting any questions. This can be

difficult, but the best advice I can give you is to answer the questions as honestly and as clearly as you can and try not to give very long answers. Try also to make some eye contact with the Judge if you can and if you feel that you need a comfort break when giving evidence, just ask your barrister. If you don't know the answer, simply say 'I am sorry, I do not know' rather than saying think is the right answer as you may inadvertently prejudice yourself.

(3) The Defendant and any witnesses relied on by the Defendant will similarly give evidence and your Counsel will put any questions.

(4) Each party's Counsel will address the judge, stressing the main points each party relies on and dealing with any points of law.

(5) The judge will decide the case, giving full reasons for the decision.

Sometimes judges reserve their decision to a later date but I will chase this for you and advise as soon as the judgement is available if this occurs. Generally you will receive a judgement on the same day.

I hope this usefully explains what will happen on the day and if you require any further information with regard to the trial date or the trial, please do not hesitate to contact me.

In the meantime, I will continue my work on the claim and liaise with the Defendant Solicitors to produce the trial bundles and forward them to the relevant parties and to you once they are completed.

It is of course, still possible for the parties to negotiate a settlement even on the day of the hearing. Accordingly I do not rule out that possibility even at this late stage.

A complete bundle of documents relating to the case, including relevant statements and the summaries of each party's case, has now been prepared and filed at court, and I enclose a bundle for your information. Please bring the bundle of documents to court with you so that you have it to refer to if necessary during the discussions with your barrister.

Finally, for the moment, I shall be grateful if you could confirm that you and your witnesses will attend the hearing.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Consent Order

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }
CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

Defendant

CONSENT ORDER

Upon the parties having agreed the terms of settlement set out in the attached schedule BY CONSENT IT IS ORDERED THAT:-

1. All further proceedings in this action be stayed except for the purpose of carrying the said terms into effect and that there be liberty to apply for that purpose;

2. The Defendant do pay the Claimant's costs of this action to be assessed on the standard basis if not agreed and paid within 28 days of agreement or assessment.

…… ……
{ MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" }

On behalf of the Claimant On behalf of the Defendant

REF: { MERGEFIELD "client_no" }/{ MERGEFIELD "matter_no" } REF:

Dated ……..

IN THE **{** MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER **}**
CLAIM NUMBER: **{** MERGEFIELD TK_PICOURTDETS_tkCLAIMNO **}**

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**

Claimant

- and -

{ IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}** = "" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME **}**" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}**" **}**

Defendant

SCHEDULE

---

1. The Claimant accepts the sum of **{** ASK sum "Enter amount of settlement to be paid" \D "£" **}{** ref sum * MERGEFORMAT **}** in full and final settlement of [her/his] claim for damages against the Defendant inclusive of interest;

2. The Defendant do pay the sum of **{** ref sum * MERGEFORMAT **}** to the Claimant's solicitors within 28 days of the date of this order.

3. Upon payment of the damages and costs referred to above, the Defendant be discharged from any further liability in respect of the subject matter of this claim.

Dated 2012

Counsel Enc Brief

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PICOURTDETS_tkCOUNSELREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" }}{ref LETTER \@ "d MMMM yyyy" }

Clerk to { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_title } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_forename } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_surname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compaddress }

Dear Sir

Re: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }"}**

We have now received Notice that the above case has been listed for Trial on { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@ "d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@ "MMMM yyyy" }.

We enclose Brief to Counsel to represent the Claimant.

Kindly acknowledge safe receipt.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

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Counsel Enc Instructions (PoC)

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Clerk to { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_title } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_forename } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_surname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compaddress }

Dear Sir

Re: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }"}**

We are instructed by the above named Claimant and now enclose our papers for Counsel's attention and who is requested to settle Particulars of Claim in accordance with the agreed protocol with this practice.

We look forward to hearing from you.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

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Counsel Enc Trial Bundle

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\dad515eb-8965-4381-b849-0dbdc6b3a319\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PICOURTDETS_tkCOUNSELREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" }}{ref LETTER \@ "d MMMM yyyy" }

Clerk to { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_title } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_forename } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_surname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compname }
{ MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_compaddress }

Dear Sir

Re : { MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }"}
Claim No : { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }
Trial Date : { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"MMMM yyyy" }

Please find enclosed herewith the trial bundle in relation to the above named case.

Should you require any further information please do not hesitate to contact us.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\dad515eb-8965-4381-b849-0dbdc6b3a319\\footer.doc"}

Counsel Instructions Settle PoC

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

Defendant

BRIEF TO COUNSEL
TO **********

INSTRUCTIONS TO COUNSEL TO SETTLE PARTICULARS OF CLAIM

Enclosures:-

1. Questionnaire completed by proposed Claimant;

2. Relevant Correspondence between the parties;

3. Medical Report of { IF { MERGEFIELD TK_PIINJMEDDETS_TKMED_EXP_INSTR } = "Expert 1" "{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_forename" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_surname" }" "{ IF { MERGEFIELD TK_PIINJMEDDETS_TKMED_EXP_INSTR } = "Expert 2" "{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_forename" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" }" "{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_forename" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" }" }" }, dated *

4. Schedule of Special Damages;

5. Instructing Solicitors Attendance Note on Quantum.

The Facts

In this proposed action the Claimant claims damages for personal injury and losses arising out of { IF { MERGEFIELD TK_ACCDETS_tkACCTYPE } = "RTA" "a road traffic accident" "[*{ MERGEFIELD "TK_ACCDETS_tkACCTYPE" }*]" } on { MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal" } { MERGEFIELD TK_ACCDETS_tkACCDATE\@ "MMMM yyyy"}. { IF { MERGEFIELD TK_PICLIENTINFO_tkTYPEFUNDING } = "CFA" "The claim is being funded by way of a conditional fee agreement with a success fee. Counsel is instructed on a CFA/Disbursement basis." "The claim is being funded by way of * . Counsel is instructed on a * basis." }

The Issues

Counsel will note that liability { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1LIABADM } = "Liability Admitted" "is not in dispute with the Defendant's insurers by letter admitting negligence/ breach of statutory duty." "{ IF { MERGEFIELD "TK_PIDEF2DETAIL_tkDEF2LIABADM" } = "Liability Admitted" "is not in dispute with the Defendant's insurers by letter admitting negligence/ breach of statutory duty." "{ IF { MERGEFIELD "TK_PIDEF3DETAIL_tkDEF3LIABADM" } = "Liability Admitted" "is not in dispute with the Defendant's insurers by letter admitting negligence/ breach of statutory duty." "is in dispute." }" }" }{ IF { MERGEFIELD TK_PIVALUE_TK_PT36_AMT_D } <> "" "

Counsel will also see that a Part 36 Offer was made on the Claimant's behalf on { MERGEFIELD TK_PIVALUE_TK_PT36_DT_PD\@"d"*Ordinal } { MERGEFIELD TK_PIVALUE_TK_PT36_DT_PD\@"MMMM yyyy"} amounting to £{ MERGEFIELD TK_PIVALUE_TK_PT36_AMT_D }. This has not been accepted by the Defendant(s) nor have any satisfactory proposals been put forward." "" }

Evidence

The Claimant relies upon the evidence of:

{ IF { MERGEFIELD TK_PIOTHEREXPS_TK_ENG_REP_DISC } = "Yes" "{ MERGEFIELD "TK_PIOTHEREXPS_TKENGINEER_title" } { MERGEFIELD "TK_PIOTHEREXPS_TKENGINEER_forename" } { MERGEFIELD "TK_PIOTHEREXPS_TKENGINEER_surname" } -" "" }

{ IF { MERGEFIELD TK_PIOTHEREXPS_TK_ENG_REP_DISC } = "Yes" "Engineer" "" }

{ IF { MERGEFIELD "TK_PIOTHEREXPS_TK_PI_REP_DISC" } = "Yes" "{ MERGEFIELD "TK_PIOTHEREXPS_TKPRIVINVESTIG_title" } { MERGEFIELD "TK_PIOTHEREXPS_TKPRIVINVESTIG_forename" } { MERGEFIELD "TK_PIOTHEREXPS_TKPRIVINVESTIG_surname" } -" "" }

{ IF { MERGEFIELD "TK_PIOTHEREXPS_TK_PI_REP_DISC" } = "Yes" "Private Investigator" "" }

{ IF { MERGEFIELD "TK_PIOTHEREXPS_TK_EX1_REP_DISC " } = "Yes" "{ MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP1_title " } { MERGEFIELD

{ IF { MERGEFIELD "TK_PIOTHEREXPS_TK_EX1_REP_DISC" } = "Yes" "*[*** area of expertise]*" "" }

"TK_PIOTHEREXPS_TKOTHEREXP1_forename" **}** **{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP1_surname" **}** -" "" **}**
{ IF **{** MERGEFIELD "TK_PIOTHEREXPS_TK_EX2_REP_DISC" **}** = "Yes" "**{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP2_title" **}** **{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP2_forename" **}** **{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP2_surname" **}** -" "" **}**
{ IF **{** MERGEFIELD "TK_PIOTHEREXPS_TK_EX3_REP_DISC" **}** = "Yes" "**{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP3_title" **}** **{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP3_forename" **}** **{** MERGEFIELD "TK_PIOTHEREXPS_TKOTHEREXP3_surname" **}** -" "" **}**

{ IF **{** MERGEFIELD "TK_PIOTHEREXPS_TK_EX2_REP_DISC" **}** = "Yes" "*[*** area of expertise]*" "" **}**

{ IF **{** MERGEFIELD "TK_PIOTHEREXPS_TK_EX3_REP_DISC" **}** = "Yes" "*[*** area of expertise]*" "" **}**

whose report(s) has/have been disclosed to the insurers and who have not obtained their own evidence. This evidence has been treated as agreed. A Schedule of Special Damages has also been served.

Counsel's Instructions

Those instructing Counsel do believe that the Claimant has reasonable prospects of proving that

i. The opponent was negligent/and or breach of statutory duty

ii. This breach of duty led to an injury

iii. The claim has a value of £**{** MERGEFIELD "TK_PIVALUE_TKNETVLCLAIM" **}**

iv. The above named is the appropriate Defendant

v. Any judgement is likely to be satisfied against the Defendant

Counsel is asked to settle the Particulars of Claim. If Counsel needs any further information they need only contact **{** MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" **}**, Instructing Solicitor.

Dated **{** SET LtrDate **{** DATE \@ "d MMMM yyyy" * MERGEFORMAT **}}{** LtrDate \@ "d MMMM, yyyy" **}**

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME **}**
{ MERGEFIELD PRACTICEINFO_HOUSE **}**
{ MERGEFIELD PRACTICEINFO_AREA **}**
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN **}**

{ MERGEFIELD PRACTICEINFO_POSTCODE **}**

{ MERGEFIELD "MATTER_FEE_EARNER_ID" **}/{** MERGEFIELD "Client_No" **}/{** MERGEFIELD "Matter_No" **}**

……
{ MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" **}**

Dated

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

BETWEEN:

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }
Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Defendant

BRIEF TO COUNSEL TO
****

Clerk to { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_title } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_initials } { MERGEFIELD TK_PICOURTDETS_tkCOUNSEL_surname }
{ MERGEFIELD "TK_PICOURTDETS_tkCOUNSEL_compaddress" }

Court Enc Application

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\7ef8a8f0-3314-47c1-8d80-6cded4f2befb\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose on behalf of the Claimant the following:

(1) Application notice;

(2) a draft of the order sought;

(3) a cheque for the court fee of £[ ];

(4) copies for return to us, for service and for our file.

We confirm our time estimate for the hearing of the application is * . The time estimate is not yet agreed or disagreed. We will ask the Defendant to advise if there is any disagreement with the estimate we have given.

We look forward to receiving copy documentation for service, with details of the hearing date.

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\7ef8a8f0-3314-47c1-8d80-6cded4f2befb\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Court Enc Consent Order

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\f7586182-3ca1-4328-b5b1-b205823fbcdb\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose Consent Order in triplicate together with the fee in the sum of { ASK courtfee "Enter amount of court fee." \d "£" }{ ref courtfee * MERGEFORMAT }.

We look forward to receiving approval of the Consent Order and a sealed copy in due course.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Court Enc N227

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\21d3de53-3e79-4fd6-a14c-3e69911d8c7e\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

Please find enclosed Form N227 Request for Judgment by Default, with supporting documentation.

We look forward to hearing from you.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\21d3de53-3e79-4fd6-a14c-3e69911d8c7e\\footer.doc"}

Court Enc Trial Bundle

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

Please find enclosed herewith the trial bundle in relation to the above named case.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\b1e54998-c59f-4bc8-9f33-61347a828beb\\footer.doc"}

Court Filing Allocation

Qestionnaire

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\100344b6-6a66-45e0-894e-a722bd604a1b\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose for filing the following:

(1) Allocation questionnaire, duly completed;

(2) Draft case management directions;

[(3) Case summary;]

(4) Cheque for the court fee on filing the allocation questionnaire of £ * .

We are pleased to confirm that consultations have allowed the parties to reach agreement on the case management directions the court is invited to make, and these are as set out in the enclosed draft. In the circumstances, it is hoped that the court is able to deal with allocation and case management directions in or along the lines of the draft.

Please note that in relation to future costs this is only an estimate. We cannot accept that we can be bound in any way to limit our final costs to this figure. We cannot take into account any unforeseen issues that may arise or unforeseen delays as a result of, for example, our opponent's conduct. Nor can the estimate take into account any application that might subsequently be made in relation to all or part of our costs to be paid on an indemnity basis arising out of the Defendant's conduct.

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\100344b6-6a66-45e0-894e-a722bd604a1b\\footer.doc"}

We look forward to receiving notice of allocation, a copy of the Defendant's allocation questionnaire (with any accompanying information) and case management directions.

We look forward to hearing from you further.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Court Filing Listing Questionnaire

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\9ed42adb-c98f-413d-9615-94c8a40d3db9\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose, for filing, the following:

(1) Listing Questionnaire (Pre-trial Checklist), duly completed;
(2) Estimate of costs;
(3) Case summary;
(4) Application Notice for Further Directions;
(5) Draft directions;
(6) Cheque for the court fee of £[ ].

As we consider further directions are necessary before the trial takes place, an application, with a draft of the directions sought, is enclosed.

[We are pleased to confirm that consultations between the parties have allowed agreement to be reached on the further directions the court is invited to make following filing of the listing questionnaire. These are as set out in the enclosed draft.]

We look forward to receiving any further directions and confirmation of arrangements for trial in due course.

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\9ed42adb-c98f-413d-9615-94c8a40d3db9\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Court Issue Checklist

Court Issue Checklist:

OUR REF: **{** MERGEFIELD "MATTER_FEE_EARNER_ID" **}/{** MERGEFIELD "Client_No" **}/{** MERGEFIELD "Matter_No" **}**

ISSUE CHECKLIST

(NB:- the checklist below is subject to Limitation)

ACTION	**CHECK**
Has the 3 month protocol period passed?	
Has there been any disclosure of requested documents so far?	
If not, have you made a Part 8 application for pre-action disclosure	
CPR 31.16(3) – Application for pre-action disclosure checklist	
- have you got the correct D service address?	
- correct legal status? (Do a Companies House search)	
- is the D solvent? – if not it may not be worth making an application	
- have you completed N215 - Certificate of Service?	
- have you completed N251 - Notice of Funding?	
- have you prepared N260 - breakdown of costs for the hearing?	
If you have obtained all requested documents and liability is still not resolved, have you obtained medical evidence, special losses and put forward a reasonable Part 36 offer to settle on liability and/or quantum?	
Have you instructed Counsel to prepare Particulars of Claim?	
Have you completed the Claim Form?	
Correct D(s) service address(es) and solvent? (Do Companies House search)	
Correct Court and track?	
Does bundle include medical evidence, Schedule of Loss, Particulars of Claim and N1 Claim form?	
Does the medical evidence and statement of case reflect the accident circumstances correctly and is the schedule up to date?	
Supervisor checked and signed off claim form?	
Have you completed N251 - Notice of Funding?	
ATE Insurance in place if required?	
Have you done a cheque request for the correct amount and is the cheque signed?	
If RTA, have you sent s.152 notice of issue?	

Signed …….(Supervisor)

Dated……..

INFANT APPROVAL CHECKLIST

Have you received the offer letter confirming Part 36 agreed?	
Have you got Counsel's advice on your settlement?	
If a scarring claim, have you got photos?	
Is N208 Claim form completed?	
Is N2442 Application notice completed?	
Has the Litigation Friend signed N235 Certificate of Suitability?	
Have you uploaded N292 – Order of settlement on behalf of child/patient to be sent to Counsel on day of hearing?	
Is N251 Notice of Funding completed?	
Is N215 Certificate of Service completed?	
Does your bundle include all relevant medical evidence and photos if needed? (especially if a scarring claim)	
Is N260 breakdown of costs prepared?	

Signed …….(Supervisor)

Dated……..

Court Issue Proceedings

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\45e77a22-84cd-433c-8535-b502c1b0957a\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 } -v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We are instructed by the above named Claimant and now enclose, for your kind attention, the following:

(1) Claim Form for filing together with two copies for sealing and return (one for service and one for our file);

(2) Particulars of Claim for filing together with copy for service;

(3) Medical evidence for filing together with copy for service;

(4) Schedule of Expenses and Losses for filing together with copy for service;

(5) Notice of Funding together with copy for service;

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "(6) Certificate of suitability of litigation friend;

" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "(7) " "(6) " }Cheque for the court fee of £* .

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\45e77a22-84cd-433c-8535-b502c1b0957a\\footer.doc"}

[We should like to effect service of the claim form upon the Defendant ourselves and, accordingly, shall be grateful if you would return to us, after issue, the claim form duly sealed together with all copy papers intended for service and a response pack.]

Our present valuation of the claim is that damages will exceed £* but will not exceed £* . However, the enclosed cheque is tendered on the basis that we reserve the right, on payment of a further fee if so requested, to amend the value of the claim to whatever level may be appropriate.

No issue arises immediately under the Human Rights Act 1998 and we have completed the claim form accordingly. Of course, our client reserves the right to rely on the Act if necessary at a later stage.

We also look forward to receiving the sealed copy claim form for our file.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Court List of Documents

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\ab690134-7ad7-401c-bada-59b9402f300c\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose for filing the Claimant's list of documents and confirm that a copy has been served upon the Defendant's Solicitors.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\ab690134-7ad7-401c-bada-59b9402f300c\\footer.doc"}

Court Statement of Costs

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\0956a4f0-35ae-4f92-b876-75bb3487554c\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" * MERGEFORMAT }

{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address }

Dear Sirs

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }
-v- { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Claim No: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

We enclose the Claimant's statement of costs and confirm that a copy has been served upon the Defendant's solicitors.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Ins Conf Service

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\35d131ab-c99f-437b-8607-e814acaea430\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSREF }

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_address }

Dear Sirs

Our Client: **{ MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Accident Location: **{ MERGEFIELD TK_ACCDETS_tkACCLCATION }**

We now enclose, by way of service, the following documents:

(1) Claim Form (and attached notes);
(2) Particulars of Claim;
(3) Medical evidence filed on issue of proceedings;
(4) Schedule of Expenses and Losses;
(5) Notice of Funding;
(6) Form for Acknowledging Service;
(7) Form for Defending the Claim;
(8) Form for Admitting the Claim.

We have been in correspondence with the relevant insurers, { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_name } of:
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_address }
(under reference { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSREF }), to whom you may care to refer these papers straight away.

We would be grateful if your insurers or their solicitors would acknowledge safe receipt.

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\35d131ab-c99f-437b-8607-e814acaea430\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Ins Confirm Issue

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Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSREF }

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Your Insured: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }"}**
Your Policy No: **{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSPOLNO }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We give notice that we have today sent the Claim Form and supporting papers to { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } for proceedings to be issued.{ IF { MERGEFIELD TK_ACCDETS_tkACCTYPE } = "RTA" "

Please treat this letter as the relevant notification of commencement of proceedings against the above Defendant under section 152 of the Road Traffic Act 1988." "" }

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\e03b3a3e-fae9-4ace-a654-e505fa30d3a9\\footer.doc"}

Def 1 Serving Proceedings

Encloses

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\35d131ab-c99f-437b-8607-e814acaea430\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSREF }

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_address }

Dear Sirs

Our Client: **{ MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Accident Location: **{ MERGEFIELD TK_ACCDETS_tkACCLCATION }**

We now enclose, by way of service, the following documents:

(1) Claim Form (and attached notes);
(2) Particulars of Claim;
(3) Medical evidence filed on issue of proceedings;
(4) Schedule of Expenses and Losses;
(5) Notice of Funding;
(6) Form for Acknowledging Service;
(7) Form for Defending the Claim;
(8) Form for Admitting the Claim.

We have been in correspondence with the relevant insurers, { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_name } of:
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSURER_address }
(under reference { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1INSREF }), to whom you may care to refer these papers straight away.

We would be grateful if your insurers or their solicitors would acknowledge safe receipt.

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\35d131ab-c99f-437b-8607-e814acaea430\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Sol Ack Defence

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\421f5b1e-d5c8-422b-a6c9-6a6b52cf360c\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We thank you for your letter of * .

We will deal with the matters arising in turn.

1. Your interest

We confirm that we have noted your interest on behalf of the Defendant in this matter.

2. The Defence

We acknowledge safe receipt of the Defence.

3. Judgment

On the basis that it will be contended that your client has no real prospect of successfully defending liability, our client is making application for summary judgment, on liability, and a copy of the application notice and details of any written evidence to be relied on will follow. Consequential case management directions will be sought.

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\421f5b1e-d5c8-422b-a6c9-6a6b52cf360c\\footer.doc"}

4. Admissions made under the protocol

[We are concerned that by the Defence, the Defendant seeks to resile from admissions made under the pre-action protocol. In the circumstances our client reserves the right to apply to the court for an order striking out those parts of the Defence which conflict with admissions made previously and/or for judgment on relevant issues. Before making such an application however we should like you to have the opportunity of explaining precisely why there is a change in stance and to deal, albeit retrospectively, with matters that should have been dealt with under the protocol had the stance the Defendant now seeks to take been adopted then. This will help us assess the extent to which our client is prejudiced and hence the approach to take to the Defence as it now stands. Accordingly, would you please:

(1) explain precisely why the Defendant seeks to resile from the admissions made previously;

(2) advise when and in what circumstances the decision to resile was made;

(3) produce, insofar as this is disclosable under the protocol, any further evidence taken account of in the decision to resile;

(4) produce forthwith all documents which would have been disclosable under the protocol if the Defendant had then adopted the stance which the Defence seeks to take; and

(5) either confirm that there are no documents the Defendant did have but no longer has, which would have been disclosable under the protocol or identify such documents with details of when, and in what circumstances, the Defendant parted with those documents and what, to the best of the Defendant's knowledge, has now become of those documents.

Please would you respond to these questions as soon as possible given that, if the stance the Defendant now seeks to take had been adopted all along, much of this information should have been provided already. We can assess the question of prejudice and hence the need for an application which, in the absence of an appropriate response, is likely to seek an order striking out those parts of the Defence inconsistent with the earlier admission.]

5. The protocol

We consider the Defendant has not complied with the protocol by [*details*].

The failure to comply with the protocol does of course prejudice the Claimant who has not known the full nature of the Defendant's case, despite the Claimant's case having been set out in detail in the letter of claim. This may have a bearing on the directions that are appropriate and of course in relation to costs.

Please let us know if you contend that the Defendant has complied with the protocol, giving reasons, or let us have any explanation there may be for the failure to deal with matters at the appropriate stage in accordance with the protocol.]

[6. Requirements of the Civil Procedure Rules 1998

We consider that the Defence fails to comply with rule 16.5 of the Civil Procedure Rules 1998 or paragraph 12 of the Practice Direction to Part 16. In particular:

(1) the Defence fails to state full and adequate reasons for the denials which have been made;

(2) the Defence fails to identify which aspects of the medical evidence relied on by the Claimant are agreed and which are not agreed;

(3) the Defence fails to give reasons for matters in the medical evidence relied on by the Claimant which are not agreed;

(4) the Defence fails to identify which aspects of the Claimant's claim for expenses and losses are admitted and which are not admitted;

(5) the Defence fails to deal properly with those items of expenses and losses that are not admitted or to attach a counter-schedule.

Please rectify these matters as soon as possible.]

7. Statement of truth

We note that the Defence does not contain an appropriate statement of truth. Please remedy this promptly, failing which we reserve the right to ask the court to strike out the Defence.

8. Defendant's request for further information

Either

[We acknowledge safe receipt of the request for further information sought from the Claimant. The information you are entitled to will be given without the need for you to obtain a court order.]

Or

[We acknowledge safe receipt of the request for further information sought from the Claimant.

The information sought is not, in our view, confined to matters which are reasonably necessary for the Defendant's case to be prepared or for the Defendant to understand the case which has to be met. Accordingly, we do not think that this information is required as a preliminary to disclosure and exchange of evidence.

If after disclosure and exchange of evidence you consider that any matters remain outstanding, you will remain able to renew your request for any such information, although we think it unlikely this will be required.

Accordingly our client objects to complying with the request at this stage as it is considered disproportionate given that, for the reasons already outlined, any information provided now is likely to be duplicated and rendered unnecessary as further stages of the case are dealt with.]

9. Claimant's request for further information

We enclose by way of service a request for further information from the Defendant. We serve this request as we do not consider that the Defence complies with the requirements of rule 16.5 of the Civil Procedure Rules 1998 and we wish to be made aware of the nature of the Defendant's case now.

If you do not provide further information and/or particulars and/or relevant documents and/or factual evidence, we will assume that you intend to raise only those affirmative allegations which you have already pleaded.

10. Liability as a preliminary issue

We suggest that there be a split trial with liability to be tried as a preliminary issue. Please let us know if you disagree, giving your reasons.

11. Allocation and case management

We are now moving on to prepare for allocation and case management.

We look forward to hearing from you

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Sol Confirm Address for

Service

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\b3325190-d2af-43ae-8f5f-cb56dbc7e921\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: { MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }
Your Client: { IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }
Accident Date: { MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }

We give notice that we have today sent the Claim Form and supporting papers to { MERGEFIELD "TK_PICOURTDETS_tkCIVILCRT_name" } for proceedings to be issued. Kindly confirm that you are instructed to accept service. If you are not so instructed, please confirm your client's address for service.

We look forward to hearing from you.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\b3325190-d2af-43ae-8f5f-cb56dbc7e921\\footer.doc"}

Def 1 Sol Enc Allocation

Qeustionnaire

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\03adbff1-4b31-4b15-ae3d-7cacae5678fa\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

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{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose, for your information, a copy of the allocation questionnaire, duly completed, as filed at court.

[We also enclose documentation filed at court with the allocation questionnaire.]

[We shall be grateful if you could let us have a copy of the Defendant's allocation questionnaire, and any accompanying documentation you ask the court to consider on allocation.]

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\03adbff1-4b31-4b15-ae3d-7cacae5678fa\\footer.doc"}

Def 1 Sol Enc Consent Order

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\fe3e1d6a-5884-46f3-bcbc-615be72919df\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client:	**{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose Consent Order in respect of the above matter, and would be obliged if you would sign the same and return it to us as soon as possible.

We also enclose our without prejudice Schedule of Costs and look forward to receiving your proposals in respect of our costs shortly.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\fe3e1d6a-5884-46f3-bcbc-615be72919df\\footer.doc"}

Def 1 Sol Enc Index and Costs

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\51fff14e-0df3-40b3-90bc-3547f922c545\\header.doc"}

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Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**

Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**

Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We have generally reviewed this matter in readiness for the hearing and write to deal with matters arising.

(1) We have prepared a bundle of documents and enclose a copy of the draft index herewith for your information. Please confirm that the bundle is agreed or let us know if there are any further documents you wish to be included, identifying any such documents fully. We should like to be ready to file the bundle by * and so look forward to hearing from you prior to then.

(2) We consider that a time estimate of * remains appropriate but shall be grateful for your time estimate if you disagree.

(3) Please note that if a settlement has not been achieved by 4 pm on * we reserve the right to deliver a brief without further notice. This will, obviously, increase the costs.

We look forward to hearing from you.

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\51fff14e-0df3-40b3-90bc-3547f922c545\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Sol Enc Listing

Questionnaire

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\b5ab2c2d-59de-441a-b628-5cf356db063b\\header.doc"}

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Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose the listing questionnaire as filed at court, for your information.

We also enclose documentation filed at court along with the listing questionnaire.

We shall be grateful if you could let us have a copy of the Defendant's listing questionnaire, and any accompanying documentation or letters you ask the court to consider on listing.

We are happy to liaise with you concerning any further case management although this will of course need to be in the immediate future before the court reviews the questionnaires.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\b5ab2c2d-59de-441a-b628-5cf356db063b\\footer.doc"}

Def 1 Sol Enc Trial Bundle

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\4a9a1a16-39ce-4f85-82e7-5312971de25a\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose for your information a copy of the Trial Bundle in respect of the forthcoming hearing.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\4a9a1a16-39ce-4f85-82e7-5312971de25a\\footer.doc"}

Def 1 Sol List of Documents

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\0b91fba5-d687-4ab1-8fd3-5aa5af1ce6bb\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose, by way of service, the Claimant's list of documents.

In anticipation of a request for inspection, we enclose copies of the documents numbered in the first part of the Claimant's list.

Kindly acknowledge safe receipt.

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\0b91fba5-d687-4ab1-8fd3-5aa5af1ce6bb\\footer.doc"}

Def 1 Sol Notice of Application

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\355025f9-f66a-4519-a95c-59ee9ec1018c\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose by way of service notice of application, for * .

You will note that the written evidence in support of the application is set out on the application notice itself.

Kindly acknowledge safe receipt and let us know your intentions concerning all aspects of the application as soon as possible.

You will note the time estimate we have given to the court. Please let us know if you have any significant disagreement with that estimate.

Please let us have any details of any written evidence on which you intend to rely at the hearing.

We await hearing from you

Yours faithfully

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\355025f9-f66a-4519-a95c-59ee9ec1018c\\footer.doc"}

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Def 1 Sol Statement of Costs

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\43b6f6e9-0463-460e-9ce2-c5f66127d59b\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref: { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOLREF }

{ SET LETTER { DATE \@ "d MMMM yyyy" * MERGEFORMAT }}{ref LETTER \@ "d MMMM yyyy" }

{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_name }
{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SOL_address }

Dear Sirs

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Your Client: **{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**

We enclose by way of service our statement of costs in readiness for the hearing of *

Yours faithfully

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\43b6f6e9-0463-460e-9ce2-c5f66127d59b\\footer.doc"}

Draft Directions on Allocation

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name *UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**

Claimant

- and -

{ IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}** = "" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME **}**" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}**" **}**

Defendant

CLAIMANT'S PROPOSED DIRECTIONS

PROPOSED DIRECTIONS UPON ALLOCATION

1. This action be allocated to the Fast Track;
2. The claimant be given judgment with damages to be assessed;
3. Each party give standard disclosure of documents to every other party by list by no later than 4.00pm on * ;
4. Requests for inspection be made by no later than 4.00pm on * ;
5. Witness statements be exchanged simultaneously by no later than 4.00pm on * ;
6. The medical evidence of **{** IF **{** MERGEFIELD TK_PIINJMEDDETS_TKMED_EXP_INSTR **}** = "Expert 1" "**{** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_title" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_forename" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT1_surname" **}**" "" **}{** IF **{** MERGEFIELD TK_PIINJMEDDETS_TKMED_EXP_INSTR **}** = "Expert 2" "**{** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_forename" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" **}**" "" **}{** IF **{** MERGEFIELD TK_PIINJMEDDETS_TKMED_EXP_INSTR **}** = "Expert 3" "**{** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_forename" **} {** MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" **}**" "" **}** be adduced in evidence without the need for the expert to be called to give oral evidence;
7. The trial window be fixed for a period of 3 months from * and with a trial estimate of 3 hours;
8. Costs in the Case.

Dated this **{** SET LtrDate **{** DATE \@ "d MMMM yyyy" * MERGEFORMAT **}}{** LtrDate \@ "d MMMM yyyy" **}**

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME }
{ MERGEFIELD PRACTICEINFO_HOUSE }{ IF { MERGEFIELD PRACTICEINFO_AREA }= "" "
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN }
{ MERGEFIELD PRACTICEINFO_POSTCODE }" "
{ MERGEFIELD PRACTICEINFO_AREA }
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN }
{ MERGEFIELD PRACTICEINFO_POSTCODE }" }

Our Ref: **{** MERGEFIELD client_no **}/{** MERGEFIELD matter_no **}**

Estimate of Costs

OUR REF: **{** MERGEFIELD MATTER_FEE_EARNER_ID **}/{** MERGEFIELD client_no **}/{** MERGEFIELD matter_no **}**
YOUR REF: **{** MERGEFIELD TK_PICOURTDETS_tkCOUNSELREF **}**

In the **{** MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name **}**
{ MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_address **}**

Re: **{** MERGEFIELD LINKNAME_TITLE_1 **} {** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}**

Claim No: **{** MERGEFIELD TK_PICOURTDETS_tkCLAIMNO **}**

ESTIMATE OF COSTS

Base costs to date

Attendance to client

Preparation and reviews

Letters out

Telephone calls

TOTAL

Disbursements:

Med Expert 2 Re Trial Date

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\253fe0de-a0b5-4b47-90c8-2b3828cc929a\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_initials" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" }
{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_address" }

Dear { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" }

Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address: **{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth: **{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report"}{ REF repdate \@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" * MERGEFORMAT } on the injuries sustained by our above-named client

We have now received Notice that the Trial has been listed to take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } on { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"MMMM yyyy" }.

I would be obliged if you would kindly note this date in your diary, and I would be grateful if you would keep all of the day free for the time being. I will contact you nearer the hearing to let you know exactly when you will be required. Of course if the case settles before Trial I will let you know immediately.

I look forward to receiving confirmation that you are able to attend Court on this date.

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\253fe0de-a0b5-4b47-90c8-2b3828cc929a\\footer.doc"}

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Med Expert 3 Re Trial Date

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\82bd0ae0-b8b9-4728-856e-a3acbcf6a864\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_initials" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" }
{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_address" }

Dear { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" }

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address:	**{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth:	**{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report"}{ REF repdate \@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" * MERGEFORMAT } on the injuries sustained by our above-named client

We have now received Notice that the Trial has been listed to take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } on { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"MMMM yyyy" }.

I would be obliged if you would kindly note this date in your diary, and I would be grateful if you would keep all of the day free for the time being. I will contact you nearer the hearing to let you know exactly when you will be required. Of course if the case settles before Trial I will let you know immediately.

I look forward to receiving confirmation that you are able to attend Court on this date.

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\82bd0ae0-b8b9-4728-856e-a3acbcf6a864\\footer.doc"}

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Med Expert1 Dates to Avoid

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\f3ccc62a-034d-4834-868e-14ef2c01a6f9\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_title } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_initials } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_surname }
{ MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_address }

Dear { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_title } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_surname }

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address:	**{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth:	**{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report."}{ REF repdate\@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" } on the injuries sustained by our above-named client.

We have now reached the stage where the case is finally ready to be set down for Trial. At this stage the Defendants' Solicitors have not formally agreed your Report. It may be that they will do so, but we must assume that they will not at this stage.

Would you please provide us with the following:

1. A list of all of the dates that must be avoided if you are to attend Court to give oral evidence;

2. Your charges for attending Court, taking into account that the Trial will take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name };

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\f3ccc62a-034d-4834-868e-14ef2c01a6f9\\footer.doc"}

3. Your cancellation charges for late notification that you are no longer required to attend Court.

We are obliged to supply the Court with these details by **{** ASK courtdetdate "Enter the date by which dates to Court must be supplied."**}{** REF courtdetdate\@"d"*Ordinal **} {** REF courtdetdate\@"MMMM yyyy" **}**, and we would therefore be grateful to receive your reply as soon as possible.

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Med Expert1 Re Trial Date

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\32b37970-9a26-4443-9955-9ba2d7f7dc66\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_title } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_initials } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_surname }
{ MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_address }

Dear { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_title } { MERGEFIELD TK_PIINJMEDDETS_tkMEDEXPERT1_surname }

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address:	**{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth:	**{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report"}{ REF repdate \@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" * MERGEFORMAT } on the injuries sustained by our above-named client

We have now received Notice that the Trial has been listed to take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } on { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"d"*ordinal } { MERGEFIELD TK_PICOURTDETS_tkTRIALDATE \@"MMMM yyyy" }.

I would be obliged if you would kindly note this date in your diary, and I would be grateful if you would keep all of the day free for the time being. I will contact you nearer the hearing to let you know exactly when you will be required. Of course if the case settles before Trial I will let you know immediately.

I look forward to receiving confirmation that you are able to attend Court on this date.

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\32b37970-9a26-4443-9955-9ba2d7f7dc66\\footer.doc"}

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Med Expert2 Dates to Avoid

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\e2b1e9bc-087d-4ed9-b754-f56d293b7432\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_initials" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" }
{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_address" }

Dear { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT2_surname" }

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address:	**{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth:	**{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report."}{ REF repdate\@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" } on the injuries sustained by our above-named client.

We have now reached the stage where the case is finally ready to be set down for Trial. At this stage the Defendants' Solicitors have not formally agreed your Report. It may be that they will do so, but we must assume that they will not at this stage.

Would you please provide us with the following:

1. A list of all of the dates that must be avoided if you are to attend Court to give oral evidence;

2. Your charges for attending Court, taking into account that the Trial will take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name };

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\e2b1e9bc-087d-4ed9-b754-f56d293b7432\\footer.doc"}

3. Your cancellation charges for late notification that you are no longer required to attend Court.

We are obliged to supply the Court with these details by **{** ASK courtdetdate "Enter the date by which dates to Court must be supplied."**}{** REF courtdetdate\@"d"*Ordinal **} {** REF courtdetdate\@"MMMM yyyy" **}**, and we would therefore be grateful to receive your reply as soon as possible.

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Med Expert3 Dates to Avoid

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\6ea48ded-8167-43a6-af70-d480223ea841\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_initials" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" }
{ MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_address" }

Dear { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_title" } { MERGEFIELD "TK_PIINJMEDDETS_tkMEDEXPERT3_surname" }

Our Client:	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD LINKNAME_SURNAME_1 }**
Address:	**{ MERGEFIELD "CALCULATION_ADDRESS" }**
Date of Accident:	**{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@"MMMM yyyy" }**
Date of Birth:	**{ MERGEFIELD TK_PICLIENTINFO_tkCL_DOB }**

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report."}{ REF repdate\@"d"*Ordinal * MERGEFORMAT } { REF repdate \@"MMMM yyyy" } on the injuries sustained by our above-named client.

We have now reached the stage where the case is finally ready to be set down for Trial. At this stage the Defendants' Solicitors have not formally agreed your Report. It may be that they will do so, but we must assume that they will not at this stage.

Would you please provide us with the following:

1. A list of all of the dates that must be avoided if you are to attend Court to give oral evidence;

2. Your charges for attending Court, taking into account that the Trial will take place at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name };

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\6ea48ded-8167-43a6-af70-d480223ea841\\footer.doc"}

3. Your cancellation charges for late notification that you are no longer required to attend Court.

We are obliged to supply the Court with these details by **{** ASK courtdetdate "Enter the date by which dates to Court must be supplied."**}{** REF courtdetdate\@"d"*Ordinal **} {** REF courtdetdate\@"MMMM yyyy" **}**, and we would therefore be grateful to receive your reply as soon as possible.

Yours sincerely

{ MERGEFIELD "CALCULATION_FEE_EARNER_DESCRIPTION" }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

N1 Claim Form

CLAIM FORM

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }	
	For court use only
Claim No.	**{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO**
Issue date	**{ FORMTEXT }**

SEAL.

Claimant:

{ MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**

Defendant(s):

{ IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}** = "" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1TITLE **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME **}**" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}**" **}{** IF **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME **}** = "" ", **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2TITLE **} {** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2FORENAME **} {** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2SURNAME **}**" ", **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME **}**" **}**

Brief details of claim:
{ FORMTEXT **}**

Value:
{ FORMTEXT **}**

The Claimant seeks damages for her/his injuries and losses in excess of £1,000.00 but the total claim will not exceed £5,000.00.

Defendant's Name and Address

{ IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}** = "" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1TITLE **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME **} {**	**{** IF **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME **}** = "" "**{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2TITLE **} {**

Amount claimed	£**{** FORMTEXT **}**
Court fee	£**{** FORMTEXT **}**
Solicitor's costs	£**{** FORMTEXT **}**
Total amount	£**{** FORMTEXT **}**

MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME **}** **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1ADDRESS **}**" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}** **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1ADDRESS **}" }**	MERGEFIELD TK_PIDEF2DETAIL_tkDEF2FORENAME **} {** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2SURNAME **}** **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2ADDRESS **}**" ", **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME **}** **{** MERGEFIELD TK_PIDEF2DETAIL_tkDEF2ADDRESS **}" }**

Claim No.	**{** MERGEFIELD TK_PICOURTDETS_tkCLAIMNO **}**

The court office at
{ FORMTEXT **}**
is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

Claim No	{ FORMTEXT }

Does, or will, your claim include any issues under the Human Rights Act 1998? { FORMCHECKBOX } Yes { FORMCHECKBOX } No

Particulars of Claim (Attached) (To follow)
{ FORMTEXT }

Statement of Truth
* (I believe) (The Claimant believes) that the facts stated in these particulars of claim are true.
* I am duly authorised by the Claimant to sign this statement

Full name: { MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Name of Claimant's solicitor's firm: { MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" }

Signed: { FORMTEXT }

Position or office held: { FORMTEXT }
* (Claimant) (Litigation friend) (Claimant's solicitor) (if signing on behalf of a firm or company)
* delete as appropriate

{ FORMTEXT **}**	Claimant’s or Claimant’s solicitor’s address to which documents or payments should be send if different from overleaf including (if appropriate) details of DX, fax or e-mail.

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N150 Allocation Questionnaire

Allocation questionnaire

To be completed by, or on behalf of,

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

who is [1st][2nd][3rd][{ FORMTEXT }][Claimant][Defendant]
[Part 20 claimant] in this claim

Name of court { MERGEFIELD "TK_PICOURTDETS_tkCIVILCRT_name" }	
Claim No.	**{ MERGEFIELD "TK_PICOURTDETS_tkCLAIMNO" }**
Last date for filing with court office:	**{ FORMTEXT }**

Please read the notes on page six before completing the questionnaire.

You should note the date by which it must be returned and the name of the court it should be returned to since this may be different from the court where the proceedings were issued.

If you have settled this claim (or if you settle it on a future date) and do not need to have it heard or tried, you must let the court know immediately.

Have you sent a copy of this completed form to the other party(ies)?	**{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

A Settlement

Under the Civil Procedure Rules parties should make every effort to settle their case before the hearing. This could be by discussion or negotiation (such as a roundtable meeting or settlement conference) or by a more formal process such as mediation. The court will want to know what steps have been taken. Settling the case early can save costs, including court hearing fees.

For legal representatives only

I confirm that I have explained to my client the need to try to settle; the options available; and the possibility of costs sanctions if they refuse to try to settle.	**{** FORMCHECKBOX **}**

For all

Your answers to these questions may be considered by the court when it deals with the questions of costs: see Civil Procedure Rules Part 44.3 (4).

1. Given that the rules require you to try to settle the claim before the hearing, do you want to attempt to settle at this stage?	**{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**
2. If Yes, do you want a one month stay?	**{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

3. If you answered 'No' to question 1, please state below the reasons why you consider it inappropriate to try to settle the claim at this stage.

Reasons:

{ FORMTEXT }

B Location of trial

Is there any reason why your claim needs to be heard at a particular court? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, say which court and why?

{ FORMTEXT **}**

C Pre-action protocols

You are expected to comply with the relevant pre-action protocol.

Have you done so? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If No, explain why?

{ FORMTEXT **}**

D Case management information

What amount of the claim is in dispute? **£{ FORMTEXT }**

Applications

Have you made any application(s) in this claim? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, what for? **{ FORMTEXT }** *(e.g. summary judgment, add another party)*

For hearing on **{ FORMTEXT }**

Witnesses

So far as you know at this stage, what witnesses of fact do you intend to call at the trial or final hearing including, if appropriate, yourself?

Witness name	Witness to which facts

{ FORMTEXT }	{ FORMTEXT }

Experts

Do you wish to use expert evidence at the trial or final hearing?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No { FORMCHECKBOX } None yet obtained

Have you already copied any experts' report(s) to the other party(ies)?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

Do you consider the case suitable for a single joint expert in any field?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

Please list any single joint experts you propose to use and any other experts you wish to rely on. Identify single joint experts with the initials 'SJ' after their name(s).

Expert's name	Field of expertise (e.g. orthopaedic surgeon, surveyor, engineer)
{ FORMTEXT **}**	**{** FORMTEXT **}**

Do you want your expert(s) to give evidence orally at the trial or final hearing?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, give the reasons why you think oral evidence is necessary:

{ FORMTEXT **}**

Track

Which track do you consider is most suitable for your claim? *Tick one box*

{ FORMCHECKBOX **}** small claims track

{ FORMCHECKBOX **}** fast track

{ FORMCHECKBOX **}** multi-track

If you have indicated a track which would not be the normal track for the claim,
please give brief reasons for your choice

{ FORMTEXT **}**

Disclosure of electronic documents

If you are proposing that the claim be allocated to the multi-track:

1. Have you reached agreement, either using the Electronic Documents Questionnaire in PD31B or otherwise, about the scope and extent of disclosure of electronic documents on each side? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

2. If No, is such an agreement likely? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

3. If there is no agreement and no agreement is likely, what are the issues about disclosure of electronic documents which the court needs to address, and should they be dealt with at the Case Managment Conference or at a separate hearing?

E Trial or final hearing

How long do you estimate the trial or final hearing will take?

{ FORMTEXT } days	{ FORMTEXT } hours	{ FORMTEXT } minutes

Are there any days when you, an expert or an essential witness will not be able to attend court for the trial or final hearing? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, please give details

Name	Dates not available
{ FORMTEXT }	{ FORMTEXT }

F Proposed directions *(Parties should agree directions wherever possible)*

Have you attached a list of the directions you think appropriate for the management of the claim? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, have they been agreed with the other party(ies)? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

G Costs

Do not complete this section if you have suggested your case is suitable for the small claims track or you have suggested one of the other tracks and you do not have a solicitor acting for you.

What is your estimate of your costs incurred to date?

£{ FORMTEXT }

What do you estimate your overall costs are likely to be?

£{ FORMTEXT }

In substantial cases these questions should be answered in compliance with CPR Part 43

H Fee

Have you attached the fee for filing this allocation questionnaire? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

An allocation fee is payable if your claim or counterclaim exceeds £1,500.

Additional fees will be payable at further stages of the court process.

I Other information

Have you attached documents to this questionnaire? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

Have you sent these documents to the other party(ies)? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, when did they receive them? **{ FORMTEXT }**

Do you intend to make any applications in the immediate future? **{ FORMCHECKBOX } Yes { FORMCHECKBOX } No**

If Yes, what for? **{** FORMTEXT **}**

In the space below, set out any other information you consider will help the judge to manage the claim.

{ FORMTEXT **}**

Signed

Date **{** FORMTEXT **}**

[Counsel] [Solicitor] [for the][1st][2nd][3rd][**{** FORMTEXT **}**]
[Claimant] [Defendant] [Part 20 claimant]

Please enter your name, reference number and full postal address including (if appropriate) details of telephone, DX, fax or e-mail

{ FORMTEXT }	**If applicable**	
	Telephone no.	**{ FORMTEXT }**

	Fax no.	**{ FORMTEXT }**
	DX no.	**{ FORMTEXT }**
Postcode { FORMTEXT }	**Your ref.**	**{ FORMTEXT }**

E-mail	**{ FORMTEXT }**

Notes for completing an allocation questionnaire

• If the claim is not settled, a judge must allocate it to an appropriate case management track. To help the judge choose the most jus and cost-effective track, you must now complete the attached questionnaire.

• If you fail to return the allocation questionnaire by the date given, the judge may make an order which leads to your claim or defenc being struck out, or hold an allocation hearing. If there is an allocation hearing the judge may order any party who has not filed their questionnaire to pay, immediately, the costs of that hearing.

• Use a separate sheet if you need more space for your answers marking clearly which section the information refers to. You should write the claim number on it, and on any other documents you send with your allocation questionnaire. Please ensure they are firmly attached to it.

• The letters below refer to the sections of the questionnaire and tell you what information is needed.

A Settlement
Under the Civil Procedure Rules parties should make every effort to settle their case before the hearing. This could be by discussion or negotiation (such as a roundtable meeting or settlement conference) or by a more formal process such as mediation. The court will want to know what steps have been taken. If you think that it would be worthwhile you and the other party trying to negotiate a settlement at this stage you should tick the 'Yes' box. The court may order a stay, whether or not all the other parties to the claim agree. Even if you are requesting a stay, you should still complete the rest of the questionnaire.

More information about settlement options is available in the Legal Services Commission leaflet 'Alternatives to Court' free from any county court or the LSC leaflet line on 0845 3000 343. If you would like to find out more about mediation, and the fees charged, contact the National Mediation Helpline on 0845 60 30 809 or go to www.nationalmediationhelpline.com. Although you may appoint a mediator of your choice, if you would like the court to arrange a mediation for you please tick 'Yes'.

By ticking this box you are consenting to your contact details being passed via the Helpline to an accredited external mediation provider.

B Location of trial
High Court cases are usually heard at the Royal Courts of Justice or certain Civil Trial Centres. Fast or multi-track trials may be dealt with at a Civil Trial Centre or at the court where the claim is proceeding.

C Pre-action protocols
Before any claim is started, the court expects you to have complied with the relevant pre-action protocol, and to have exchanged information and documents relevant to the claim to assist in settling it. To find out which protocol is relevant to your claim see:
http://www.justice.gov.uk/civil/procrules_fin/menus/protocol.htm

D Case management information Applications
It is important for the court to know if you have already made any applications in the claim, what they are for and when they will be heard. The outcome of the applications may affect the case management directions the court gives.

Witnesses
Remember to include yourself as a witness of fact, if you will be giving evidence.

Experts
Oral or written expert evidence will only be allowed at the trial o final hearing with the court's permission. The judge will decide what permission it seems appropriate to give when the claim is allocated to track. Permission in small claims track cases will o be given exceptionally.

Track
The basic guide by which claims are normally allocated to a tra is the amount in dispute, although other factors such as the complexity of the case will also be considered. Leaflet EX305 - The Fast Track and the Multi-track, explains this in greater det

E Trial or final hearing
You should enter only those dates when you, your expert(s) or essential witness(es) will not be able to attend court because o holiday or other commitments.

F Proposed directions
Attach the list of directions, if any, you believe will be appropria to be given for the management of the claim. Agreed direction fast and multi-track cases should be based on the forms of standard directions set out in the practice direction to CPR Par and form PF52.

G Costs
Only complete this section if you are a solicitor and have suggested the claim is suitable for allocation to the fast or mult track.

H Fee
For more information about court fees please go our website www.hmcourts-service.gov.uk or pick up a fees leaflet EX50 fr any county court. If you cannot afford the fee, you may be eligi for remission of the fee. More details can be found in the leafle EX160A, which can be downloaded from our website or you ca pick up a copy from any county court.

I Other Information
Answer the questions in this section. Decide if there is any other information you consider will help the judge to manage the claim Give details in the space provided referring to any documents yo have attached to support what you are saying.

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N170 Listing Questionnaire

Listing Questionnaire
(Pre-trial checklist)

To be completed by, or on behalf of,

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Who is [1st] [2nd] [3rd] [{ FORMTEXT }] [Claimant] [Defendant] [Part 20 Claimant] [Part 20 Defendant] in this claim

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }	
Claim No:	**{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO**
Last date for filing with court office:	**{ FORMTEXT }**
Date(s) fixed for trial or trial period:	**{ FORMTEXT }**

This form must be completed and returned to the court no later than the date given above. If not, your statement of case may be struck out or some other sanction imposed.

If the claim has settled, or settles before the trial date, you must let the court know immediately.

Legal Representatives only: You must attach estimates of costs incurred to date, and your likely overall costs. In substantial cases, these should be provided in compliance with CPR Part 43.

For multi-track claims only, you must attach a proposed timetable for the trial itself.

A Confirmation of compliance with directions

1. I confirm that I have complied with those directions already given which require action by me. Yes { FORMCHECKBOX } No { FORMCHECKBOX }

If you are unable to give confirmation, state which directions you have still to comply with and the date by which this will be done.

Directions	Date
{ FORMTEXT }	{ FORMTEXT }

2. I believe that additional directions are necessary before the trial takes place. Yes { FORMCHECKBOX } No { FORMCHECKBOX }

If Yes, you should attach an application and a draft order.

Include in your application all directions needed to enable the claim to be tried on the date, or within the trial period, already fixed. These should include any issues relating to experts and their evidence, and any order needed in respect of directions still requiring action by any other party.

3. Have you agreed the additional directions you are seeking with the other party(ies)? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

B Witnesses

1. How many witnesses (including yourself) will be giving evidence on your behalf at the trial? ***(Do not include experts – see section C)*** **{ FORMTEXT }**

Witnesses continued

2. If the trial date is not yet fixed, are there any days within the trial period you or your witnesses would wish to avoid if possible? (Do not include experts – see section C)

Please give details

Name of witness	Dates to be avoided if possible	Reason
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

Please specify any special facilities or arrangements needed at the court for the party or any witness (e.g., witness with a disability)

{ FORMTEXT }

3. Will you be providing an interpreter for any of your witnesses? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

C Experts

You are reminded that you may not use an expert's reports or have your expert give oral evidence unless the court has given permission. If you do not have permission, you must make an application (see section A2 above)

1. Please give the information requested for your expert(s)

Name	Field of expertise	Joint expert?	Report agreed?	Has permission been given for oral evidence?
{ FORMTEXT }	{ FORMTEXT }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }
{ FORMTEXT }	{ FORMTEXT }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }
{ FORMTEXT }	{ FORMTEXT }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }	Yes { FORMCHECKBOX } No { FORMCHECKBOX }

2. Has there been discussion between experts? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

3. Have the experts signed a joint statement? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

4. If your expert is giving oral evidence and the trial date is not yet fixed, is there any day within the trial period which the expert would wish to avoid, if possible? **Yes { FORMCHECKBOX } No { FORMCHECKBOX }**

If Yes, please give details

Name of witness	Dates to be avoided if possible	Reason
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

D Legal Representation

1. Who will be representing your case at the trial? { FORMCHECKBOX } You { FORMCHECKBOX } Solicitor { FORMCHECKBOX } Counsel

2. If the trial date is not yet fixed, is there any day within the trial period that the person representing your case would wish to avoid, if possible? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

If Yes, please give details

Name of witness	Dates to be avoided if possible	Reason
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

E The trial

1. Has the estimate of the time needed for trial changed? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

If Yes, say how long you estimate the whole trial will take, Including both parties' cross examination and closing arguments { FORMTEXT } Days, { FORMTEXT } Hours, { FORMTEXT } Minutes

2. If different from original estimate you have agreed with the other party(ies) that this is now the total time needed? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

3. Is the timetable for trial you have attached agreed with the other party(ies)? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

Fast track cases only
The court will normally give you 3 weeks notice in the fast track of the date fixed for a fast track trial unless, in exceptional circumstances, the court directs that shorter notice be given.

Would you be prepared to accept shorter notice of the date fixed for trial? Yes { FORMCHECKBOX } No { FORMCHECKBOX }

F Document and fee checklist

Tick as appropriate

I attach to this questionnaire:

{ FORMCHECKBOX } An application and fee for additional directions
{ FORMCHECKBOX } A proposed timetable for trial
{ FORMCHECKBOX } A draft order
{ FORMCHECKBOX } An estimate of costs
{ FORMCHECKBOX } Listing fee

Signed

[Counsel][Solicitor][for the][1st][2nd][3rd][{ FORMTEXT }]
[Claimant][Defendant][Part 20 claimant]
[Part 20 Defendant]

Please enter your [firm's] name, reference number and full postal address including (if appropriate) details of DX, fax or e-mail.

Date: { FORMTEXT }	**{ FORMTEXT }** **Postcode: { FORMTEXT }**

Tel no:	**{ FORMTEXT }**	**DX no:**	**{ FORMTEXT }**	**E-mail:**	**{ FORMTEXT }**
Fax no:	**{ FORMTEXT }**	**Ref no:**	**{ FORMTEXT }**		**{ FORMTEXT }**

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N215 Certificate of Service

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\1c079545-26c5-4cec-8d59-6cb9c583da0e\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }
{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
{ MERGEFIELD CALCULATION_ADDRESS }" }

Dear { IF { MERGEFIELD TK_PICLIENTINFO_tkCLIENTMINOR } = "Yes" "{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDTITLE } { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN }" "{ IF { MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 }" "{ MERGEFIELD TK_PICLIENTINFO_tk_SALUTATION }" }" }

Re: { MERGEFIELD MATTER_MATTER_DESCRIPTION }

RE: Your Claim

I write to confirm that court proceedings have now been issued on your behalf and, in the near future, copies of the formal court documents detailing your claim will be received by the Defendant.

I think this is a convenient point to outline the way in which the court case will proceed and to remind you of the costs implications of court action.

I hope this will give you a clear picture of the action I will be taking on your behalf and usefully confirm some aspects of earlier advice.

1. Stages of the court process

The steps in the court process can be summarised as follows:

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\1c079545-26c5-4cec-8d59-6cb9c583da0e\\footer.doc"}

(1) *Details of the case*

The court papers sent to the Defendant include the Particulars of Claim which set out what has happened, the effect of what has happened, and why the Defendant is blamed.

The Defendant has 14 days, from receiving the court papers, to indicate whether the claim is to be defended.

(2) *The Defence*

The Defendant must respond to the Particulars of Claim by a Defence. Assuming the Defendant first indicates the claim will be defended, the Defendant will have 28 days from receipt of the court papers to send out the Defence.

The Defence must confirm which parts of your claim are admitted, which parts are not admitted but not denied, and which parts are denied. The Defendant must give reasons for the matters that are denied. In this way, the Defence will define which aspects of the case have to be proved at a later stage and should help to narrow, to some extent, those issues.

If the Defendant fails to indicate within 14 days whether the claim is to be defended, or fails to send out a Defence within 28 days, I can ask the court to enter judgment in your favour. Any such judgment would finalise the question of liability in your favour, leaving only the amount of compensation to be decided by the court. This would be fixed at a hearing if terms could not be agreed in the meantime.

It is quite likely however that the Defendant, or solicitors instructed to act, will ask for further time over and above 28 days, to prepare the Defence. The Defendant should not generally have more than 42 days from receipt of the court papers to send out a Defence, although in appropriate circumstances the court may allow longer. I will let you know if this timescale is extended.

(3) *Exchange of further detail on the case*

Once I have the Defence I will:

(i) write to outline the issues that have emerged;
(ii) consider whether I need to reply to the Defence on your behalf. A reply is not normally required but sometimes fresh points can be raised in the Defence which do require comment;
(iii) consider whether any questions need to be put to the Defendant to obtain further information on matters arising out of the Defence.

The Defendant may well send with the Defence a request for some further information on your case, and I will let you know if I need further instructions from you to deal with any such request.

(4) *Allocation and case management directions*

When statements of case have been exchanged, the court will ask the solicitors acting for each party to file a report. That report will detail the background to the proceedings, the issues that have arisen, the evidence that will be necessary to deal with those issues and any other matters that the court might need to make a ruling on. The purpose of this is to ensure that the issues which remain in dispute at that stage can be resolved as justly as possible. For these purposes, the court is particularly concerned to ensure that the matter is dealt with expeditiously, economically and proportionately.

The court may at that stage direct any specific issue to be determined ahead of other issues as this sometimes helps in resolving the whole case.

When the court has considered the reports a decision will be made:

(i) allocating the case to a particular 'track'. I will explain in more detail what this involves when the allocation has taken place but briefly there are particular tracks suited to particular types of case, designed to achieve the overall objective of a just outcome;
(ii) the court will also give appropriate directions, which again I will explain in more detail once made. The purpose of the directions is to help guide the case, again as justly as possible, through the remaining stages towards a final hearing.

(5) *Disclosure of documents*

The directions given by the court will normally direct all parties to give disclosure of documents.

This involves the preparation of a list containing all documents which that party has, or has had, possession of relating to the issues in the case, as these have been defined by the Particulars of Claim and the Defence. That list must also contain written confirmation that the list is complete and that it has been prepared after an appropriate search for any documents that might be relevant.

Sometimes, particularly if the issues are narrowed or there is unlikely to be any relevant documentation, the court may dispense with the need for a formal list from one or more parties but, in the meantime, I think it best to assume that disclosure will take place and to give advance warning of what this will involve.

I may well already have all relevant documents from you but to ensure that I will be ready to deal with this stage of the case promptly, it would be helpful if you could give the matter some thought, and if necessary search for any further relevant documents, so that as and when we reach this stage of the process I will be able to ask you for:

(i) any further documents still in your possession (except for the letters and documents I have sent you as of course I already have these), including documents that have come into existence or into your possession since the claim started. If at that stage you are in doubt as to the relevance of any documents it would be best to let me have them;
(ii) a list of any documents you once had but no longer have, relating to the case in any way, stating the identity of those documents and if known when you last had them and what became of them.

As disclosure of documents is such an important stage of the case, I will write to you again confirming what is required when we reach it.

(6) *Dealing with the documents disclosed*

Any party is entitled to ask for copies of documents disclosed in another's list.

Of course in accordance with the protocol, documents have already been obtained from the Defendant but I wil, nevertheless be reviewing the matter once we have the Defence to see if there are any further documents which the Defendant should be disclosing. If so I will check the Defendant's list to ensure that disclosure has been given and seek copies of such documents so that I can send further copies to you for your information and comment.

If there are any further specific documents you expect the Defendant to have concerning the issues that have emerged, it would be helpful to have a list from you when we reach this stage of the case, identifying either particular documents or if necessary, categories of document.

(7) *Exchange of witness statements*

The court will also usually give a direction that each party must disclose to any other party the statements of any witness of fact on whose evidence it is intended to rely.

The court will generally stipulate that this exchange should take place on the same day so that no party has the advantage of seeing the other's statements first.

As I mentioned when preparing your statement, that statement is not necessarily intended for disclosure to the Defendant and before dealing with this stage of the action I shall most likely be preparing an up-to-date statement concentrating on the main issues of the case and covering any further points that may arise out of the earlier stages. Once any up-to-date statement is completed or I have decided we can rely on the existing statement, this together with any statements from other witnesses on whose evidence you rely will be sent to the Defendant. I will let you have copies of statements produced by the Defendant.

(8) *Exchange of expert evidence*

To assist the court in making a decision on the case it is helpful to have expert evidence – that is guidance from a suitably qualified expert to help the court in deciding any issues arising in the case.

However the court's permission is required for any party to rely on any expert evidence at a hearing. Permission to rely on expert evidence is one of the matters the court will deal with when giving case management directions (although initially the court may simply direct the arrangements for disclosure of evidence, with permission to rely on the evidence being considered once that disclosure has taken place).

I will now deal with some specific points concerning expert evidence.

(i) Expert medical evidence

I have sent to the Defendant with the court papers the medical evidence obtained from our expert/experts.

The Defendant must decide whether to agree that evidence (and medical evidence is very often agreed) or if it is not agreed, to try and identify points of disagreement by the Defence.

I hope that the medical evidence already obtained and disclosed should be all we need to confirm the injuries suffered and the effect of these, although I will let you know at the appropriate stage if I think anything further is required.

(ii) Other expert evidence

Any other expert evidence will be exchanged at or soon after the time when witness statements are exchanged. Like witness statements, it may be appropriate for reports to be exchanged, if the Defendant has corresponding evidence, on the same day.

Once the Defence has clarified the issues, I will advise you on whether I think it is necessary to rely on further expert evidence.

(iii) Agreement of expert evidence

I hope that it may be possible for the expert evidence to be agreed as the agreed opinion can then be used in written form by the court to help reach a decision. That avoids the need for oral expert evidence to be given, which usually makes any final hearing date easier to arrange.

If there should be more than one expert in any particular field, the court, with a view to encouraging agreement, will normally direct the experts to confer and prepare a joint statement either confirming agreement or identifying points of disagreement. This is very useful in helping to narrow the issues and can often help promote a settlement of the case.

(iv) Permission to rely on expert evidence

As already mentioned, the court needs to give permission before any party can rely on expert evidence at any hearing. I will ask the court for permission to rely on the expert evidence disclosed to the Defendant when the court reviews progress, although it may be that the court will not be able to deal with this or give a final decision about whether the evidence in written form should suffice until after exchange of evidence.

Once further expert evidence has been exchanged, or we can confirm that we are content to rely on the evidence already obtained, most of the preparatory stages of the case will have been dealt with and each party will have a very clear idea about the case of the other.

(9) *Review*

After all these preparatory stages have been dealt with, the court will expect further reports from the solicitors for the parties confirming the progress made. This is a further opportunity for the court to give any further directions that may be appropriate to ensure the case reaches a just conclusion as soon as possible.

I would hope that at or soon after this review, the court will arrange a final hearing date, if appropriate, for any issue the court considers ought to be dealt with before other issues in the case.

Whilst sometimes the court may arrange a final hearing date when first reviewing the case, it is more likely the court will give what is known as a 'trial window'. That will provide a general indication of when the case is likely to be heard so that I can, when reporting on progress to the court, confirm dates that would be convenient to those involved.

(10) *The final hearing*

Once a final hearing date has been arranged, I will carefully review all the evidence to offer any further advice that may be appropriate at that stage and to ensure that the case is ready to be heard.

The hearing will often deal with all the issues in the case, so that the matter reaches a conclusion there and then. However as already indicated, it may be appropriate for a particular issue to be dealt with as a preliminary, in which case some of the stages already outlined will be confined to that issue and the final hearing will be on that issue only. I will explain in more detail how issues can be dealt with separately, if this seems appropriate, when we receive the Defence or if the court directs issues to be dealt with separately.

At the final hearing a judge will read the statements of case and consider the documents, witness statements and expert evidence disclosed. The judge will then reach a decision on the issues the hearing is concerned with, so this may involve a ruling on liability, an assessment of the appropriate level of compensation, or both.

Should a final hearing be necessary, I would arrange for you to be represented, usually by a barrister.

I think it best to summarise all the stages in the case as I hope this overview will assist when I write to report to you as we deal with each stage. It may however be possible to avoid some of the stages, if the issues in the case can be narrowed and of course a settlement of the case can be achieved at any stage during the court process if suitable terms are offered by the Defendant. Should terms be agreed, the court can then be asked to make a final order in those terms without the need for a hearing which goes into the issues.

2. Timescale

At this stage, I am able to give only a very broad indication of timescale. You will gather from the stages in the court process, that it is likely to be about a month before the Defence is received and it may be a further month or so after that before the court can deal with allocation and case management directions. However once case management directions have been given we

should have a much better idea of when the case is likely to reach a conclusion, as the court will normally aim to ensure any final hearing date takes place within about 6 months of those directions being given. Of course the actual timescale must depend on the circumstances of each case and the time by which the evidence required by the court to make any final decision will become available.

I will therefore provide a more detailed timetable for you once the court has had the opportunity of giving appropriate directions.

3. Negotiations and settlement

Most cases of this kind do reach settlement without the need for a hearing in which you would need to give evidence. As I have already mentioned, the issue of court proceedings does not prevent the parties reaching agreement at any stage, and the exchange of offers (either informally or on the more formal Part 36 basis) which I explained to you at an earlier stage, is just as applicable after the issue of proceedings as it is prior to those proceedings being commenced.

Accordingly, although court proceedings have been issued, it is unlikely that you will have to give evidence at any court hearing as I will deal with all the steps in the case, although you would need to attend any final hearing. The intention of issuing proceedings is essentially, to try and force a settlement of the claim sooner rather than later.

4. Costs

Finally, now that proceedings have been issued, may I remind you that there is a change in the position on costs. The principal changes are outlined below.

(1) *Your own costs*

The issue of proceedings does not affect the conditional fee agreement we have already made in respect of your own costs.

(2) *Recovery of costs from the Defendant*

If your claim succeeds, you would not usually have any significant liability for the costs of the Defendant and moreover the Defendant would have to pay most, though not all, of your legal costs.

(3) *The Defendant's costs*

Should the claim not succeed, the Defendant would be entitled to ask the court to order that you pay the Defendant's own legal costs. Of course you would only potentially be responsible for the costs of the Defendant if the claim were to fail or the claim were to be dropped. Should you have any such liability then this would be met under the terms of the insurance policy you took out at the time of entering the conditional fee agreement for legal expenses.

I will of course write to you further at each stage of the case, but hope this letter brings you fully up to date in the meantime and usefully summarises the action I will need to take on your behalf to deal with the stages of the court process.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

N227 Request for Judgement by

Default

Request for Judgement by Default (Amount to be decided by the court)

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }	
Claim No	{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }
Claimant (Including ref)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }
Defendant	{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

To the court

The defendant has not filed (an acknowledgment of service)(a defence) to my claim and the time for doing so has expired.

I request judgment to be entered against the defendant for an amount to be decided by the court and costs.

Defendant's date of birth (if known)

{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

Signed:

(Claimant) (Claimant's solicitor) (Litigation friend)

Position or office held:
(If signing on behalf of firm or company)

{ FORMTEXT }

Date: **{ FORMTEXT }**

Note: The court will enter judgment and refer the court file to a judge who will give directions for the management of the case including its allocation to track.

The Court Manager
{ MERGEFIELD
TK_PICOURTDETS_tkCIVILCRT_name **}**
{ MERGEFIELD
TK_PICOURTDETS_tkCIVILCRT_address **}**

The court office at
{ FORMTEXT }
is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

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N235 Certificate of Suitability of Lit

Friend

Certificate of suitability of litigation friend

If you are acting

- for a child, you must serve a copy of the completed form on parent or guardian of the child, or if there is no parent or guardian, the carer or the person with whom the child lives
- for a protected party, you must serve a copy of the completed form on one of the following persons with authority in relation to the protected party as: (1) the attorney under a registered enduring power of attorney (2) the donee of the lasting power of attorney; (3) the deputy appointed by the Court of Protection; or if there is no such person, an adult with whom the protected party resides or in whose care the protected party is. You must also complete a certificate of service (obtainable from the court office) You should send the completed form to the court with the claim form (if acting for the claimant) or when you take the first step on the defendant's behalf in the claim together with the certificate of service (if applicable).

You should send the completed form to the court with the claim form (if acting for the claimant) or when you take the first step on the defendant's behalf in the claim together with the certificate of service (if applicable).

Name of court **{** MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name **}**	
Claim No.	**{** MERGEFIELD TK_PICOURTDETS_tkCLAIMNO **}**
Claimant (including ref.)	**{** MERGEFIELD LINKNAME_TITLE_1 **} {** MERGEFIELD LINKNAME_FORENAME_1 **} {** MERGEFIELD LINKNAME_SURNAME_1 **}**
Defendant (including ref.)	**{** IF **{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}**= "" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME **} {** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME **}**" "**{** MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME **}**" **}**

You do not need to complete this form if you are a deputy appointed by the Court of Protection with power to conduct proceedings on behalf of the protected party.

I consent to act as litigation friend for **{** MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**(claimant)(defendant)

I believe that the above named person is a

{ FORMCHECKBOX **}** child **{** FORMCHECKBOX **}** protected party *(give your reasons overleaf and attach a copy of any medical evidence in support)*

I am able to conduct proceedings on behalf of the above named person competently and fairly and I have no interests adverse to those of the above named person.

*I undertake to pay any costs which the above named claimant may be ordered to pay in these proceedings subject to any right I may have to be repaid from the assets of the claimant.

* delete if you are acting for the defendant

{ FORMCHECKBOX **}** Mr **{** FORMCHECKBOX **}** Mrs **{** FORMCHECKBOX **}** Miss

{ FORMCHECKBOX **}** Ms **{** FORMCHECKBOX **}** Other **{** FORMTEXT **}**

Address to which documents in this case are to be sent.

Please write your name in capital letters

Surname **{** MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDSURN * UPPER**}**

Forenames **{** MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDFORE * UPPER **}**

I certify that the information given in this form is correct

Signed _____

{ MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDADDR }

Date { FORMTEXT }

The court office at { FORMTEXT }
is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

Claim No.{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

My reasons for believing that the (claimant)(defendant) is a protected party are:-

{ FORMTEXT }

N244 Application Notice

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }	
Claim no.	{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }
Warrant no. (if applicable)	{ FORMTEXT }
Claimant's name (including ref.)	{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }
Defendant's name (including ref.)	{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }"}
Date	{ DATE \@ "d MMMM yyyy" }

1. What is your name or, if you are a solicitor, the name of your firm?

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME }

2. Are you a

{ FORMCHECKBOX } Claimant { FORMCHECKBOX } Defendant { FORMCHECKBOX } Solicitor

{ FORMCHECKBOX } Other (please specify)

{ FORMTEXT }

If you are a solicitor whom do you represent?

{ FORMTEXT }

3. What order are you asking the court to make and why?

{ FORMTEXT }

4. Have you attached a draft of the order you are applying for?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

5. How do you want to have this application dealt with?

{ FORMCHECKBOX } at a hearing { FORMCHECKBOX } without a hearing

{ FORMCHECKBOX } at a telephone hearing

6. How long do you think the hearing will last?

{ FORMTEXT } Hours { FORMTEXT } Minutes

Is this time estimate agreed by all

{ FORMCHECKBOX } { FORMCHECKBOX } No

parties?	Yes
7. Give details of any fixed trial date or period	{ FORMTEXT }
8. What level of Judge does your hearing need?	{ FORMTEXT }
9. Who should be served with this application?	{ FORMTEXT }

10. What information will you be relying on, in support of your application?

{ FORMCHECKBOX **}** the attached witness statement
{ FORMCHECKBOX **}** the statement of case
{ FORMCHECKBOX **}** the evidence set out in the box below

If necessary, please continue on a separate sheet.

{ FORMTEXT **}**

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed _____ Dated **{** FORMTEXT **}**
Applicant('s Solicitor)('s litigation friend)

Full name **{** MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION **}**

Name of applicant's solicitor's firm **{** MERGEFIELD PRACTICEINFO_PRACTICE_NAME **}**

Position or office held **{** FORMTEXT **}**
(if signing on behalf of firm or company)

11.Signature and address details

Signed _____ Dated **{** FORMTEXT **}**
Applicant('s Solicitor)('s litigation friend)

Position or office held **{** FORMTEXT **}**
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent.

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME **}**
{ MERGEFIELD PRACTICEINFO_DX_NO **}**
{ MERGEFIELD PRACTICEINFO_HOUSE **}**
{ MERGEFIELD PRACTICEINFO_AREA **}**
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN **}**

Postcode **{** MERGEFIELD PRACTICEINFO_POSTCODE **}**

If applicable	
Phone no.	**{** MERGEFIELD CALCULATION_FEE_EARNER_PHONE **}**
Fax no.	**{** MERGEFIELD PRACTICEINFO_FAX_NO **}**
DX no.	**{** FORMTEXT **}**
Ref no.	**{** MERGEFIELD MATTER_FEE_EARNER_ID **}/{** MERGEFIELD client_no **}/{** MERGEFIELD matter_no **}**

E-mail address	**{** MERGEFIELD CALCULATION_FEE_EARNER_EMAIL **}**

Application Notice (Form N244) – Notes for Guidance

Court Staff cannot give legal advice. If you need information or advice on a legal problem you can contact Community Legal Service Direct on 0845 345 4 345 or www.clsdirect.org.uk, or a Citizens Advice Bureau. Details of your local offices and contact numbers are available via their website www.citizensadvice.org.uk

Paying the court fee
A court fee is payable depending on the type of application you are making. For example:
• To apply for judgment to be set aside
• To apply to vary a judgment or suspend enforcement
• To apply for a summons or order for a witness to attend
• To apply by consent, or without service of the application notice, for a judgment or order.
No fee is payable for an application by consent for an adjournment of a hearing if it is received by the court at least 14 days before the date of the hearing.

What if I cannot afford the fee?
If you show that a payment of a court fee would involve undue hardship to you, you may be eligible for a fee concession.

For further information, or to apply for a fee concession, ask court staff for a copy of the combined booklet and form EX160A - Court fees - Do I have to pay them? This is also available from any county court office, or a copy of the leaflet can be downloaded from our website www.hmcourts-service.gov.uk

Completing the form

Question 3
Set out what order you are applying for and why; e.g. to adjourn the hearing because..., to set aside a judgment against me because... etc.

Question 5
Most applications will require a hearing and you will be expected to attend. The court will allocate a hearing date and time for the application. Please indicate in a covering letter any dates that you are unavailable within the next six weeks.
The court will only deal with the application 'without a hearing' in the following circumstances.
• Where all the parties agree to the terms of the order being asked for;
• Where all the parties agree that the court should deal with the application without a hearing, or
• Where the court does not consider that a hearing would be appropriate.

Telephone hearings are only available in applications where at least one of parties involved in the case is legally represented. Not all applications will be suitable for a telephone hearing and the court may refuse your request.

Question 6
If you do not know how long the hearing will take do not guess but leave these boxes blank.

Question 7
If your case has already been allocated a hearing date or trial period please insert details of those dates in the box.

Question 8
If your case is being heard in the High Court or a District Registry please indicate whether it is to be dealt with by a Master, District Judge or Judge.

Question 9
Please indicate in the box provided who you want the court to sent a copy of the application to.

Question 10
In this section please set out the information you want the court to take account of in support of the application you are making.

If you wish to rely on:
• **a witness statement,** tick the first box and attach the statement to the application notice. A witness statement form is available on request from the court office.
• **a statement of case,** tick the second box if you intend to rely on your particulars of claim or defence in support of your application.
• **written evidence** on this form, tick the third box and enter details in the space provided. You must also complete the statement of truth. Proceedings for contempt of court may be brought against a person who signs a statement of truth without an honest belief in its truth.

Question 11
The application must be signed and include your current address and contact details. If you agree that the court and the other parties may communicate with you by Document Exchange, telephone, facsimile or email, complete the details

Before returning your form to the court

Have you:
• signed the form on page 2,
• enclosed the correct fee or an application for fee remission,
• made sufficient copies of your application and

supporting documentation. You will need to submit one copy for each party to be served and one copy for the court.

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N251 Notice of Funding

Notice of funding of case or claim

Notice of funding by means of a conditional fee agreement, insurance policy or undertaking given by a prescribed body should be given to the court and all
other parties to the case:

- on commencement of proceedings
- on filing an acknowledgment of service, other first document; and
- at any later time that such an arrangement is entered into, changed or terminated.

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } The court office is open between 10 am and 4 pm Monday to Friday. When writing to the court, please address forms or letters to the Court Manager and quote the claim number.	
Claim No.	{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }
Claimant (include Ref.)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD
Defendant (include Ref.)	{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONA = "" "{ MERGEFIELD

Take notice that in respect of

{ FORMCHECKBOX } all claims herein

{ FORMCHECKBOX } the following claims

{ FORMTEXT }

{ FORMCHECKBOX } the case of *(specify name of party)*

{ FORMTEXT }

{ FORMTEXT }{ FORMTEXT } being funded by:

(Please tick those boxes which apply)

{ FORMCHECKBOX } a conditional fee agreement

Dated { FORMTEXT }

which provides for a success fee

{ FORMCHECKBOX } an insurance policy issued on

Date { FORMTEXT }

Policy no { FORMTEXT }

Name and address of insurer

{ FORMTEXT }

Level of cover

{ FORMTEXT }

Are the insurance premiums staged?
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, at which point is an increased premium payable

{ FORMCHECKBOX } an undertaking given on

Dated { FORMTEXT }

by

Name of prescribed body

{ FORMTEXT }

in the following terms

{ FORMTEXT }

The funding of the case has now changed:

{ FORMCHECKBOX } the above funding has now ceased

{ FORMCHECKBOX } the conditional fee agreement has been terminated

{ FORMCHECKBOX } a conditional fee agreement

Dated { FORMTEXT }

which provides for a success fee has been entered into;

{ FORMCHECKBOX } an insurance policy

Dated { FORMTEXT }

has been cancelled

{ FORMCHECKBOX } an insurance policy has been issued on

Date { FORMTEXT }

Policy no { FORMTEXT }

Name and address of insurer

{ FORMTEXT }

{ FORMTEXT }

Level of cover

{ FORMTEXT }

Are the insurance premiums staged?
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, at which point is an increased premium payable

{ FORMTEXT }

{ FORMCHECKBOX } an undertaking given on

Dated { FORMTEXT }

has been terminated

{ FORMCHECKBOX } an undertaking has been giv **Dated**

{ FORMTEXT }

Name of prescribed body

{ FORMTEXT }

in the following terms

{ FORMTEXT }

Signed

Dated { FORMTEXT }

Solicitor for the (claimant) (defendant) (Part 20 defendant) (respondent) (appellant)

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Notice of funding of case or claim

Notice of funding by means of a conditional fee agreement, insurance policy or undertaking given by a prescribed body should be given to the court and all
other parties to the case:

- on commencement of proceedings
- on filing an acknowledgment of service, other first document; and
- at any later time that such an arrangement is entered into, changed or terminated.

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } The court office is open between 10 am and 4 pm Monday to Friday. When writing to the court, please address forms or letters to the Court Manager and quote the claim number.	
Claim No.	{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }
Claimant (include Ref.)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD
Defendant (include Ref.)	{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONA = "" "{ MERGEFIELD

Take notice that in respect of

{ FORMCHECKBOX } all claims herein

{ FORMCHECKBOX } the following claims

{ FORMTEXT }

{ FORMCHECKBOX } the case of *(specify name of party)*

{ FORMTEXT }

{ FORMTEXT }{ FORMTEXT } being funded by:

(Please tick those boxes which apply)

{ FORMCHECKBOX } a conditional fee agreement

Dated { FORMTEXT }

which provides for a success fee

{ FORMCHECKBOX } an insurance policy issued on

Date { FORMTEXT }

Policy no { FORMTEXT }

Name and address of insurer

{ FORMTEXT }

Level of cover

{ FORMTEXT }

Are the insurance premiums staged?
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, at which point is an increased premium payable

{ FORMCHECKBOX } an undertaking given on

Dated { FORMTEXT }

by

Name of prescribed body

{ FORMTEXT }

in the following terms

{ FORMTEXT }

The funding of the case has now changed:

{ FORMCHECKBOX } the above funding has now ceased

{ FORMCHECKBOX } the conditional fee agreement has been terminated

{ FORMCHECKBOX } a conditional fee agreement

Dated { FORMTEXT }

which provides for a success fee has been entered into;

{ FORMCHECKBOX } an insurance policy

Dated { FORMTEXT }

has been cancelled

{ FORMCHECKBOX } an insurance policy has been issued on

Date { FORMTEXT }

Policy no { FORMTEXT }

Name and address of insurer

{ FORMTEXT }

{ FORMTEXT }

Level of cover

{ FORMTEXT }

Are the insurance premiums staged?
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, at which point is an increased premium payable

{ FORMTEXT }

{ FORMCHECKBOX } an undertaking given on **Dated**

{ FORMTEXT }

has been terminated

{ FORMCHECKBOX } an undertaking has bee**Dated** n on

{ FORMTEXT }

Name of prescribed body

{ FORMTEXT }

in the following terms

{ FORMTEXT }

Signed

Dated { FORMTEXT }

Solicitor for the (claimant) (defendant) (Part 20 defendant) (respondent) (appellant)

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N260 Statement of Costs

Statement of Costs (summary assessment)

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name } **Court**	
Case Reference	{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

Judge/Master
{ FORMTEXT }

Case Title { MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } – v – { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1TITLE } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }
[Party]'s Statement of Costs for the hearing on *(date)* { FORMTEXT } **(interim application/fast track trial)**

Description of fee earners*

(a) *(name) (grade) (hourly rate claimed)*	{ FORMTEXT }
(b) *(name) (grade) (hourly rate claimed)*	{ FORMTEXT }
(c) *(name) (grade) (hourly rate claimed)*	{ FORMTEXT }
(d) *(name) (grade) (hourly rate claimed)*	{ FORMTEXT }

Attendances on (party)	{ FORMTEXT }

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Attendances on opponents

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Attendance on others

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTE	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

	XT }				

Site inspections etc

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Work done on negotiations

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Other work, not covered above

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Work done on documents

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

Attendance at hearing

(a) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }
(d) *(number)*	{ FORMTEXT }	hours at £	{ FORMTEXT }	£	{ FORMTEXT }

(a) *(number)*	{ FORMTEXT }	hours travel and waiting time £	{ FORMTEXT }	£	{ FORMTEXT }
(b) *(number)*	{ FORMTEXT }	hours travel and waiting time £	{ FORMTEXT }	£	{ FORMTEXT }
(c) *(number)*	{ FORMTE	hours travel and waiting time £	{ FORMTEX	£	{ FORMTEXT }

(d) *(number)* { FORMTEXT } hours travel and waiting time £ { FORMTEXT } £ { FORMTEXT }

Sub Total £ { FORMTEXT }

Brought forward £ { FORMTEXT }

Counsel's fees *(name) (year of call)* { FORMTEXT }

Fee for [advice/conference/documents] £ { FORMTEXT }

Fee for hearing £ { FORMTEXT }

Other expenses

[court fees] £ { FORMTEXT }

Others *(give brief description)* { FORMTEXT } £ { FORMTEXT }

Total **£** { FORMTEXT }

Amount of VAT claimed

on solicitors and counsel's fees £ { FORMTEXT }

on other expenses £ { FORMTEXT }

Grand Total **£** { FORMTEXT }

The costs stated above do not exceed the costs which the (party) is liable to pay in respect of the work which this statement covers. Counsel's fees and other expenses have been incurred in the amounts stated above and will be paid to the persons stated.

(party) { FORMTEXT }

Dated { FORMTEXT }

Signed

Name of firm of solicitors [partner] for the *(party)*	**{** FORMTEXT **}**

***** 4 grades of fee earner are suggested:

(A) Solicitors with over eight years post qualification experience including at least eight years litigation experience.
(B) Solicitors and legal executives with over four years post qualification experience including at least four years litigation experience.
(C) Other solicitors and legal executives and fee earners of equivalent experience.
(D) Trainee solicitors, paralegals and other fee earners.

"Legal Executive" means a Fellow of the Institute of Legal Executives. Those who are not Fellows of the Institute are not entitled to call themselves legal executives and in principle are therefore not entitled to the same hourly rate as a legal executive.

In respect of each fee earner communications should be treated as attendances and routine communications should be claimed at one tenth of the hourly rate.

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PI N265 List of Documents

Standard Disclosure

List of Documents: Standard Disclosure

Notes:

- **The rules relating to standard disclosure are contained in Part 31 of the Civil Procedure Rules.**
- **Documents to be included under standard disclosure are contained in Rule 31.6.**
- **A document has or will have been in your control if you have of have had possession, or a right of possession of it or a right to inspect or take copies of it.**

In the { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }	
Claim No.	**{ MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }**
Claimant (Including ref)	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**
Defendant (Including ref)	**{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }**
Date	**{ FORMTEXT }**

Disclosure statement

I, the above named

{ FORMCHECKBOX } Claimant { FORMCHECKBOX } Defendant

{ FORMCHECKBOX } Party **(if party making disclosure is a company, firm or other organisation identify here who the person making the disclosure statement is and why he is the appropriate person to make it)**

{ FORMTEXT }

state that I have carried out a reasonable and proportionate search to locate all the documents which I am required to disclose under the order made by the court on (date of order) { FORMTEXT }

{ FORMCHECKBOX } I did not search for documents:-

{ FORMCHECKBOX } pre-dating { FORMTEXT }

{ FORMCHECKBOX } located elsewhere than

{ FORMTEXT }

{ FORMCHECKBOX } in categories other than

{ FORMTEXT }

{ FORMCHECKBOX } for electronic documents

{ FORMCHECKBOX } I carried out a search for electronic documents contained on or created by the following:
(list what was searched and extent of search)

{ FORMTEXT }

{ FORMCHECKBOX **}** I did not search for the following:-

{ FORMCHECKBOX **}** documents created before **{** FORMTEXT **}**

documents contained on or created by the **{** FORMCHECKBOX **}** Claimant **{** FORMCHECKBOX **}** Defendant

{ FORMCHECKBOX **}** PCs

{ FORMCHECKBOX **}** databases

{ FORMCHECKBOX **}** back-up tapes

{ FORMCHECKBOX **}** mobile phones

{ FORMCHECKBOX **}** notebooks

{ FORMCHECKBOX **} PDA devices**

{ FORMCHECKBOX **}** portable data storage media

{ FORMCHECKBOX **}** servers

{ FORMCHECKBOX **}** off-site storage

{ FORMCHECKBOX **}** laptops

{ FORMCHECKBOX } handheld devices

documents contained on or created by the **{** FORMCHECKBOX **}** Claimant **{** FORMCHECKBOX **}** Defendant

{ FORMCHECKBOX **} mail files**

{ FORMCHECKBOX **}** document files

{ FORMCHECKBOX **}** web-based applications

{ FORMCHECKBOX **}** graphic and presentation files

{ FORMCHECKBOX **} calendar files**

{ FORMCHECKBOX **}** spreadsheet files

documents other than by reference to the following keyword(s)/concepts (delete if your search was not confined to specific keywords or concepts)

{ FORMTEXT }

I certify that I understand the duty of disclosure and to the best of my knowledge I have carried out that duty. I further certify that the list of documents set out in or attached to this form, is a complete list of all documents which are or have been in my control and which I am obliged under the order to disclose.

I understand that I must inform the court and the other parties immediately if any further document required to be disclosed by Rule 31.6 comes into my control at any time before the conclusion of the case.

{ FORMCHECKBOX **}** I have not permitted inspection of documents within the category or class documents (as set out

below) required to be disclosed under Rule 31(6)(b)or (c) on the grounds that to do so would be disproportionate to the issues in the case.

{ FORMTEXT }

Signed _____ Date **{** FORMTEXT **}**

(Claimant)(Defendant)('s litigation friend)

List and number here, in a convenient order, the documents (or bundles of documents if of the same nature, e.g. invoices) in your control, which you do not object to being inspected. Give a short description of each document or bundle so that it can be identified, and say if it is kept elsewhere i.e. with a bank or solicitor

I have control of the documents numbered and listed here. I do not object to you inspecting them/producing copies.
{ FORMTEXT **}**

List and number here, as above, the documents in your control which you object to being inspected. (Rule 31.19)

I have control of the documents numbered and listed here, but I object to you inspecting them:
{ FORMTEXT **}**

Say what your objections are

I object to you inspecting these documents because:
{ FORMTEXT **}**

List and number here, the documents you once had in your control, but which you no longer have. For each document listed, say when it was last in your control and where it is now.

I have had the documents numbered and listed below, but they are no longer in my control.
{ FORMTEXT **}**

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Schedule of Loss

SCHEDULE OF LOSS

Schedule of Past and Future Losses and Expenses	**{ MERGEFIELD "TK_PICOURTDETS_tkCIVILCRT_name" }**
Claim No	**{ MERGEFIELD "TK_PICOURTDETS_tkCLAIMNO" }**
Claimant (Including Ref)	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "client_no" }/{ MERGEFIELD "matter_no" }**
Defendant (Including Ref)	**{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }{ IF { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME } = "" ", { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2FORENAME } { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2SURNAME }" ", { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME }" }**

GENERAL DAMAGES

(1) Pain, suffering and loss of amenity	To be assessed
(2) Handicap on the labour market	To be assessed

I. PAST EXPENSES AND LOSSES

Receipts and documentary evidence are attached where available and exhibited in the attached bundle.

(1) Loss of Earnings

The Claimant's pre-accident average pay was £[ ] per week and the Claimant was unable to work for a total period of [ ] weeks.

Sub Total £

(2) Medical Expenses

(a) Physiotherapy
(b) Prescription charges

Sub Total £

(3) Travel Expenses

(a) To and from GP
X visits – X miles return trip @£0.45 per mile
(b) To and from Hospital
X visits - X miles return trip @£0.45 per mile
(c) To and from Physiotherapist
X visits - X miles return trip @£0.45 per mile
(c) To and from Orthopaedic Expert
X visits - X miles return trip @£0.45 per mile

Sub Total £

(4) Gratuitous Care

The Claimant claims the hourly commercial rate of £8.50 (sourced from the British Medical Association Rates 2008) multiplied by the amount of hours per day less 25% representing the consequential discount for care provided by family in line with *Evans v Pontypridd Roofing* [2001]ECWA Civ 1657:-
The assistance consisted of:-

*Delete as applicable

- Dressing
- Bathing/Personal Care
- Cooking
- Cleaning
- Shopping
- Gardening

(a) From date of accident to [ ]

[ ] hours per day x [ ] weeks

Less 25%

(b) From [ ] to [ ]

[ ] hours per day x [ ] weeks
Less 25%

Sub Total £

(5) Miscellaneous

(a) Clothing
(b) Aids and Equipment
(c) Policy excess

(d) Postage, stationery, telephone calls and photocopying

III. FUTURE EXPENSES AND LOSSES

(1) Future Medical Expenses

(a) Physiotherapy
(b) Prescription charges
(c) Surgery/After-care

Sub Total £

(2) Future Travel

(a) In view of the above medical costs as per the medical report attached, associated travel costs are claimed as a lump sum.

Sub Total £

(3) Future Care

(a) A claim for future care costs as per the medical report and care reported attached is pleaded.

Sub Total £

IV. INTEREST

(1) General Damages

Interest is claimed at 2% To be assessed

(2) Past Expenses and Losses

Interest is claimed at the full special account rate of % amounting to a total of £ to date.

Statement of Truth

I believe that the facts stated in this schedule of special damages are true.

Full name: **{** MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**

Name of Claimant's solicitor's firm: **{** MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" **}**

Signed:

Position or office held:

*(Claimant) (Litigation friend)

* delete as appropriate

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME **}**
{ MERGEFIELD PRACTICEINFO_DX_NO **}**
{ MERGEFIELD PRACTICEINFO_HOUSE **}**
{ MERGEFIELD PRACTICEINFO_AREA **}**
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN **}**
{ MERGEFIELD PRACTICEINFO_POSTCODE **}**

{ DATE \@ "dd MMMM yyyy" * MERGEFORMAT **}**

Schedule of Special Loss

SCHEDULE OF LOSS

Schedule of Past and Future Losses and Expenses	**{ MERGEFIELD "TK_PICOURTDETS_tkCIVILCRT_name" }**
Claim No	**{ MERGEFIELD "TK_PICOURTDETS_tkCLAIMNO" }**
Claimant (Including Ref)	**{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "client_no" }/{ MERGEFIELD "matter_no" }**
Defendant (Including Ref)	**{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }{ IF { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME } = "" ", { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2FORENAME } { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2SURNAME }" ", { MERGEFIELD TK_PIDEF2DETAIL_tkDEF2CONAME }" }**

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X visits - X miles return trip @£0.45 per mile

Sub Total £

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- Cooking
- Cleaning
- Shopping
- Gardening

(a) From date of accident to [ ]

[ ] hours per day x [ ] weeks

Less 25%

(b) From [ ] to [ ]

[ ] hours per day x [ ] weeks
Less 25%

Sub Total £

(5) Miscellaneous

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(b) Aids and Equipment
(c) Policy excess

(d) Postage, stationery, telephone calls and photocopying

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(c) Surgery/After-care

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Interest is claimed at the full special account rate of % amounting to a total of £ to date.

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I believe that the facts stated in this schedule of special damages are true.

Full name: **{** MERGEFIELD "LINKNAME_FORENAME_1" **} {** MERGEFIELD "LINKNAME_SURNAME_1" **}**

Name of Claimant's solicitor's firm: **{** MERGEFIELD "PRACTICEINFO_PRACTICE_NAME" **}**

Signed:

Position or office held:

*(Claimant) (Litigation friend)

* delete as appropriate

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME **}**
{ MERGEFIELD PRACTICEINFO_DX_NO **}**
{ MERGEFIELD PRACTICEINFO_HOUSE **}**
{ MERGEFIELD PRACTICEINFO_AREA **}**
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN **}**
{ MERGEFIELD PRACTICEINFO_POSTCODE **}**

{ DATE \@ "dd MMMM yyyy" * MERGEFORMAT **}**

Trial Bundle Index

IN THE { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name * UPPER }

CLAIM NUMBER: { MERGEFIELD TK_PICOURTDETS_tkCLAIMNO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }

Claimant

- and -

{ IF { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME } = "" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1FORENAME } { MERGEFIELD TK_PIDEF1DETAIL_tkDEF1SURNAME }" "{ MERGEFIELD TK_PIDEF1DETAIL_tkDEF1CONAME }" }

Defendant

TRIAL BUNDLE INDEX

No.	Document	Date	Page
	Orders and Pleadings		
1.			
2.			
3.			
	Correspondence		
	Documents		
	Witness Evidence		
	Miscellaneous		

Wit 1 Dates to Avoid

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\442cf1cf-ebd1-4bbb-839a-c761b86930c4\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1FORENAME } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }
{ MERGEFIELD TK_PIWITDETS1_tkWIT1ADDRESS }

Dear { MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }

Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@ "MMMM yyyy }**
Location: **{ MERGEFIELD TK_ACCDETS_tkACCLCATION }**
Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**

I write further in respect of this matter.

The Court is shortly due to list this matter for Trial and I should be grateful if you could provide me with any dates to avoid during the month(s) of { ASK month "Enter month(s) during which trial may be held."}{ REF month }.

I look forward to hearing from you as soon as possible.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

{INCLUDETEXT "C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\442cf1cf-ebd1-4bbb-839a-c761b86930c4\\footer.doc"}

Wit 1 Let Enc Copy Statement

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracctiveLimited.OspreyApproachSupervisorApp_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\a1895a75-47d2-458e-9fde-b678c8f73c37\\header.doc"}

Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1FORENAME } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }
{ MERGEFIELD TK_PIWITDETS1_tkWIT1ADDRESS }

Dear { MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }

Accident Date: **{ MERGEFIELD TK_ACCDETS_tkACCDATE\@"d"*Ordinal } { MERGEFIELD TK_ACCDETS_tkACCDATE\@ "MMMM yyyy }**
Location: **{ MERGEFIELD TK_ACCDETS_tkACCLCATION }**
Our Client: **{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }**

I enclose a copy statement I have prepared from your instructions. Please read it carefully. Occasionally there can be errors of fact or of emphasis in statements and obviously it is for you to confirm the facts are correct. Please write to me with your observations or if there are any points which cause concern. It is important that you should approve the statement for the following reasons.

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Yours sincerely

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{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Wit 1 Re Trial Date

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{ MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1FORENAME } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }
{ MERGEFIELD TK_PIWITDETS1_tkWIT1ADDRESS }

Dear { MERGEFIELD TK_PIWITDETS1_tkWIT1TITLE } { MERGEFIELD TK_PIWITDETS1_tkWIT1SURNAME }

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