

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracticeLimited.OspreyApproachSupervisor
App_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\e4bea7a7-b789-4043-9a8a-
b36d74ea87da\\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 }

As discussed the claim has been agreed at £{ IF { MERGEFIELD
TK_PIValue_TK_TOPUP_AMT } = "" "{ MERGEFIELD "TK_PIValue_TK_PT36_AMT_D" }"
"{ MERGEFIELD "TK_PIValue_TK_TOPUP_AMT" }" } for { MERGEFIELD
"LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" }'s claim and you
confirmed you were happy with this sum.

Procedure

As previously discussed, any money due to your { IF { MERGEFIELD
TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Son" "son" "" }{ IF { MERGEFIELD
TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Daughter" "daughter" "" }{ IF { MERGEFIELD
TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Other" " * "" } will be held on trust for { IF {
MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Son" "him" "" }{ IF {
MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Daughter" "her" "" }{ IF {
MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Other" "him/her" "" } by the court

{INCLUDETEXT
"C:\\Users\\rebecca\\AppData\\Local\\Packages\\PracticeLimited.OspreyApproachSupervisor
App_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\e4bea7a7-b789-4043-9a8a-
b36d74ea87da\\footer.doc"}

until { IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Son" "he" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Daughter" "she" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Other" "s/he" "" } reaches 18 years old. At present, I am currently preparing the papers so that we may apply to the court to fix a hearing date for the matter to be dealt with.

This is known as an 'infant approval hearing' and is an informal hearing to approve that our valuation of { MERGEFIELD "LINKNAME_FORENAME_1" }'s claim is correct. Primarily these informal hearings are required to ensure the interests of a child claimant are safeguarded.

The Hearing

You will need to attend this hearing with { MERGEFIELD "LINKNAME_FORENAME_1" } and bring with you { IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Son" "his" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Daughter" "her" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Other" "his/her" "" } passport and a copy of { IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Son" "his" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Daughter" "her" "" }{ IF { MERGEFIELD TK_PICLIENTINFO_TK_LITFRNDRSHIP } = "Other" "his/her" "" } birth certificate. The hearing will be at { MERGEFIELD TK_PICOURTDETS_tkCIVILCRT_name }.

I will of course update you once I have received a date for the hearing, together with some further information about the hearing and directions.

Please also find enclosed a Certificate of Suitability of Litigation Friend and Claim Form. Please sign the documents where indicated.

Certificate of Suitability of Litigation Friend: as { MERGEFIELD "LINKNAME_FORENAME_1" } is under 18 years old, the Court Rules require that the proceedings, whilst taken in { MERGEFIELD "LINKNAME_FORENAME_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. Whilst it is right to make this clear, I do not think 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" }.

- "LINKNAME_SURNAME_1" } in pursuing the claim will continue to be covered by the conditional fee agreement you signed originally;
- (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. Liability has already been admitted and our Part 36 offer to settle accepted by the Defendant insurers;
 - (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.

I hope the above provides an explanatory guide. Please sign and date the Certificate of Suitability and Claim Form and return them to me as soon as possible.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }