Offer to settle

(Section I - Part 36)

This form may be used to settle the whole or part of, or any issue that arises in, a claim, counterclaim, other additional claim, appeal or cross-appeal. It may also be used to settle detailed costs assessment proceedings.

A **Notice of acceptance** form is attached to this form should the offeree wish to use it.

```
In the (If proceedings have started)
{ MERGEFIELD
FW_CN_COURT_FW_CN_COURT_name }
Claim No. (or other ref.)
{ MERGEFIELD
FW_CN_COURT_FW_CN_CT_CL_NO }
Name of Claimant (including ref.)
{ MERGEFIELD LINKNAME_FORENAME_1 } {
MERGEFIELD
CLI1 ADD INFO FW CLI1 MNAME } {
MERGEFIELD "LINKNAME_SURNAME_1" }
Name of Defendant (including ref.)
{ IF { MERGEFIELD
FW_CN_DEF1_FW_CN_D1_TRUST_name } <>
"" "{ MERGEFIELD
FW CN DEF1 FW CN D1 TRUST name }" "{
MERGEFIELD
"FW CN DEF1 FW CN D1 FNAME" } {
MERGEFIELD
```

Before completing this form or responding to the offer please read the notes on pages 4 and 5

To the Offeree ('s legal representative) (Insert name and address)

```
{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION } { MERGEFIELD PRACTICE_NAME } { MERGEFIELD "PRACTICEINFO_HOUSE" { MERGEFIELD street_address2 \f " " } } { MERGEFIELD "PRACTICEINFO_AREA" \f " " } } { MERGEFIELD "PRACTICEINFO_AREA" \f " " } } { MERGEFIELD "PRACTICEINFO_COUNTY" \f " " } } { MERGEFIELD "PRACTICEINFO_COUNTY" \f " " " } } { MERGEFIELD "PRACTICEINFO_POSTCODE" }
```

Take notice that (insert name of party making the offer)

{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "CLI1_ADD_INFO_FW_CLI1_MNAME" } { MERGEFIELD "LINKNAME_SURNAME_1" }

makes this offer to settle pursuant to Part 36 of the Civil Procedure Rules 1998.

This offer is intended to be a { FORMCHECKBOX } defendant's { FORMCHECKBOX } claimant's Part 36 offer.

If the offer is accepted within { FORMTEXT } days of service of this notice, the defendant will be liable for the claimant's costs in accordance with rule 36.13.

Note: Specify a period which, subject to rule 36.5(2), must be at least 21 days

The offer is to settle: (tick as appropriate)

{FORMCHECKBOX} the whole of {FORMCHECKBOX} part of {FORMCHECKBOX} a certain issue or issues in (give details over the page) (give details over the page)

the

{FORMCHECKBOX} claim {FORMCHECKBOX} counterclaim {FORMCHECKBOX} other additional claim

{FORMCHECKBOX} appeal {FORMCHECKBOX} cross-appeal {FORMCHECKBOX} detailed costs assessment proceedings

Please give details below of the offer you are making (If necessary continue on a separate heet ensuring the claim number, if proceedings have started, is shown clearly)
heet ensuring the claim number, if proceedings have started, is shown clearly) { FORMTEXT }
The offer { FORMCHECKBOX } does { FORMCHECKBOX } does not take into account { FORMCHECKBOX } all { FORMCHECKBOX } part of the following counterclaim (or other adverse claim):
The offer { FORMCHECKBOX } does { FORMCHECKBOX } does not take into account { FORMCHECKBOX } all { FORMCHECKBOX } part of the following counterclaim (or other adverse claim): { FORMTEXT }
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Is this a personal injury claim?		{ FORMCHECKBOX } Yes, please complete section 2, section 3 if applicable and section 4	-		
		{ FORMCHECKBOX } No, please go to Section 4	_		
SECTION 2 PERSONAL INJURY CLAIMS					
Is there a claim for provisional damages?		{ FORMCHECKBOX } Yes, complete either part A or B below	Note: See rule 36.19		
		{ FORMCHECKBOX } No, please go to Section 3			
A The offer is made in sa claimant will not:	atisfaction of the claim	on the assumption that the			
{ FORMCHECKBOX } develop	{ FORMTEXT }				
(state the disease)					
OR					
{ FORMCHECKBOX } suffer (state type of	{FORMTEXT}				
deterioration)					
		, the claimant will be entitled to claim further			
	damages at any time	before			
	{	FOFOFO			
	RR RR R	RRR			
		(EXEXEX T			
	Day Month Yea				
В					
-	his offer does not inclu	ude an offer in respect of the claim for			
provisional damages.					
			-		
SECTION 3 To be completed only by	DEFENDANTS in PE	RSONAL INJURY claims	Note: See rule 36.22		
A { FORMCHECKBOX } This offer is made without regard to any liability for recoverable					
benefits under the					
Social Security (Recovery of Benefits Act) 1997.					
OR					
B { FORMCHECKBOX } which the	B { FORMCHECKBOX } This offer is intended to include any relevant deductible benefits for				
defendant is liable under the Social Security (Recovery of Benefits Act) 1997.					
The amount of £{ FORMTEXT } is offered by way of gross compensation.					
If you have ticked B, complete this section					
{ FORMCHECKBOX } The defendant has not yet received a certificate of recoverable benefits.					

{ FORMCHECKBOX } The following amounts in respect of the following benefits are to be deducted. Please give details below.

Type of benefit		Amount
{ FORMTEXT }		{FORMTEXT}
{ FORMTEXT }		{ FORMTEXT }
{ FORMTEXT }		{ FORMTEXT }
{ FORMTEXT }		{ FORMTEXT }
	The net amount offered is therefore	£{ FORMTEXT }

SECTION 4 Complete in ALL cases Details of the party making the offer

Full name	{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }			
Name of firm (if applicable)	{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME }			
Signed			Position held (If signing on behalf of a firm or company)	{FORMTEXT}
Date	{ { { FOFO FOFO R R R MTMT MTMT EXEX EXEX T } T } T } Day Month	{ { { { FOFOFOFO R R R R R MTMTMTMT MT EXEXEXEX EX T } T } T } T }		

IMPORTANT NOTES:

- 1. This form may be used to settle the whole or part of, or any issue that arises in, a claim, counterclaim, other additional claim, appeal or cross-appeal. It may also be used to settle detailed costs assessment proceedings.
- 2. When used to make a Part 36 offer in respect of an appeal, an appellant seeking to settle their appeal should make a claimant's offer while a respondent should make a defendant's offer. [See rule 36.4.]
- 3. When used to make a Part 36 offer in respect of a counterclaim or other additional claim or a cross-appeal in certain appeal proceedings:
 - the party bringing the counterclaim, additional claim or cross-appeal can make (a) a claimant's offer on such counterclaim, additional claim or cross-appeal; or (b) a defendant's offer on the claim or appeal; and
 - the party bringing the original claim or appeal can make (a) a claimant's offer on such claim or appeal; or (b) a defendant's offer on the counterclaim or cross-appeal.

In any case the offeror should make plain whether the offer takes into account any adverse claim. For example, when making an offer on a claim, state whether it takes into account the counterclaim. Equally when making an offer on a counterclaim, state whether it takes into account the claim. [See rules 36.2(3), 20.2 & 20.3 in respect of counterclaims and other additional claims. See rules 36.2(3) and 36.4 in respect of cross-appeals.]

- 4. When this form is used to make a Part 36 offer in detailed costs assessment proceedings, the receiving party in the assessment should make a claimant's offer while the paying party should make a defendant's offer. [See rule 47.20.]
- 5. In summary, Part 36 provides that:
 - A party making a defendant's offer is offering something to settle their opponent's claim, counterclaim, additional claim, appeal, cross-appeal or costs assessment proceedings and to accept a liability to pay costs.
 - A party making a claimant's offer is offering to accept something to settle their own claim, counterclaim, additional claim, appeal, cross-appeal or costs assessment proceedings on terms that their opponent pays their costs.
- 6. Part 6 of the Civil Procedure Rules makes detailed provision for the service of court documents.

NOTICE OF ACCEPTANCE

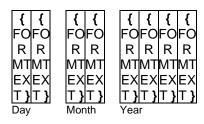
NOTES:

- 1. This form is suitable for the simple acceptance of the offer.
- 2. Where an offer relates only to part of the proceedings and the offeree wishes to abandon the balance of the claim then this should be made clear when accepting the offer. [See rule 36.13(2).]
- 3. See rule 36.15 where the offer was made by one or more but not all of the defendants.

In the (If proceedings have started) { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name } Claim No. (or other ref.) { MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO } Name of Claimant (including ref.) { MERGEFIELD LINKNAME_FORENAME_1 } { **MERGEFIELD** CLI1_ADD_INFO_FW_CLI1_MNAME } { MERGEFIELD "LINKNAME_SURNAME_1" } Name of Defendant (including ref.) { IF { MERGEFIELD FW_CN_DEF1_FW_CN_D1_TRUST_name } <> "" "{ MERGEFIELD FW_CN_DEF1_FW_CN_D1_TRUST_name }" "{ **MERGEFIELD** "FW_CN_DEF1_FW_CN_D1_FNAME" } { **MERGEFIELD**

		"FW_CN_DEF1_FW_	_CN_D1_SNAME"	
	gal representative OCALCULATION_FEE_EARNER_DESCRIP	TION }		
Take notice that ((insert name of party accepting the offer)			
accepts this offer	to settle pursuant to rule 36.11 of the Civil P	rocedure Rules 1998.		
Details of the party accepting the offer				
Full name	{FORMTEXT}			
Name of firm (if applicable)	{FORMTEXT}			
Signed		Position held (If signing on behalf of a firm or company)	{ FORMTEXT }	

Date



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