



# Osprey Approach: Clinical Negligence Proceedings

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The latest version is always online at  
<https://support.ospreyapproach.com/?p=45346>



**PREPARE COURT PAPERS**

COMPLETE DETAILS AS APPROPRIATE:


Court

(None selected)   

(None selected)

WolverhamptonCombinedCourt - Wolverhampton Combined Court Centre (Pipers Row Wolverhampton - Wolverhamp),

Particulars of Claim to follow?

Please Select 

Please Select

Yes




No

 Submit 

**NOTICE OF ISSUE**

COMPLETE DETAILS AS APPROPRIATE:

Court

(None selected)   

(None selected)

WolverhamptonCombinedCourt - Wolverhampton Combined Court Centre (Pipers Row Wolverhampton - Wolverhamp),

Claim Number

Date of Issue

Select a date 

Acknowledgement of Service Due Date

Select a date 


 Submit 

**DEFENDANT 1 DEFENCE**

COMPLETE DETAILS AS APPROPRIATE:

---

Defendant 1 Acknowledgement of Service Received?


Please Select 

Please Select


Yes

No

Defendant 1 Defence Date Due

Select a date 

Defendant 1 Defence Received?


Please Select 


Please Select

Yes

No

Defendant 1 Directions Questionnaire Date Due

Select a date 


 Submit

**DEFENDANT 1 DEFENCE**

COMPLETE DETAILS AS APPROPRIATE:

---

Defendant 1 Acknowledgement of Service Received?

Please Select 

Please Select


Yes

No

Defendant 1 Defence Date Due

Select a date 

Defendant 1 Defence Received?

Please Select 

Please Select

Yes

No

Defendant 1 Directions Questionnaire Date Due

Select a date 

 Submit 

**COURT DETAILS**

COMPLETE DETAILS AS APPROPRIATE:

**Court**

(None selected) ▼ 🔍 ✎ +

(None selected)

WolverhamptonCombinedCourt - Wolverhampton Combined Court Centre (Pipers Row Wolverhampton - Wolverhamp),

**Claim Number**

**Track Type**

Please Select ▼

Please Select

Multi Track

Fast Track


Small Claims

✓ Submit Cancel

### DEFENDANT 1 DEFENCE

COMPLETE DETAILS AS APPROPRIATE:

Defendant 1 Acknowledgement of Service Received?


Please Select 

Please Select


Yes

No

Defendant 1 Defence Date Due

Select a date 

Defendant 1 Defence Received?

Please Select 



Please Select

Yes

No


Defendant 1 Directions Questionnaire Date Due

Select a date 

 Submit 

### NOTICE OF ALLOCATION

Track Type

Please Select 

Please Select

Multi Track

Fast Track

Small Claims

 Submit 

### DEFENDANT 1 NOTICE OF ALLOCATION


COMPLETE DETAILS AS APPROPRIATE:

---


Defendant 1 Standard Disclosure List Due


Defendant 1 Standard Disclosure Request Due

Defendant 1 Electronic Disclosure Issues Date

Defendant 1 Statements BoD/Causation Due

Defendant 1 Statements Condition/Prog Due

### CASE MANAGEMENT CONFERENCE / PRE-TRIAL REVIEW

Please enter date and time of Case Management Conference, if ordered

Date of Case Management Conference

Time of Case Management Conference

**WITNESSES 1 & 2**

Witness 1 Details

Witness 1 Title

Witness 1 Initials

Witness 1 Forename

Witness 1 Surname

Witness 1 Address

---

Witness 2 Details

Witness 2 Title

Witness 2 Initials

Witness 2 Forename

Witness 2 Surname

Witness 2 Address

 Submit

Cancel



**WITNESSES 3 & 4**

Witness 3 Details

Witness 3 Title

Witness 3 Initials

Witness 3 Forename

Witness 3 Surname

Witness 3 Address

---

Witness 4 Details

Witness 4 Title

Witness 4 Initials

Witness 4 Forename

Witness 4 Surname

Witness 4 Address

 Submit

Cancel

**WITNESSES 5 & 6**

Witness 5 Details

Witness 5 Title

Witness 5 Initials

Witness 5 Forename

Witness 5 Surname

Witness 5 Address

---

Witness 6 Details

Witness 6 Title

Witness 6 Initials

Witness 6 Forename

Witness 6 Surname

Witness 6 Address




Submit  Cancel

**COUNSEL DETAILS**

COMPLETE DETAILS AS APPROPRIATE:

---




**Counsel Organisation**

(None selected)   

(None selected)

No1Chambers - No 1 Chambers (1 Chambers Court Birmingham - Birmingham),

**Counsel Contact**

None selected   

None selected

9 - Test Counsel (No 1 Chambers) ( - ),

**Counsel Reference**

 Submit 

**PRE-TRIAL CHECKLIST**


COMPLETE DETAILS AS APPROPRIATE:

---

**Defendant 1 Pre-Trial Checklist Due**

Select a date 

**Defendant 1 Additional Directions Necessary**

Please Select 

Please Select


Yes

No

 Submit 

**NOTICE OF ALLOCATION**

Track Type

Please Select 

Please Select

Multi Track

Fast Track

Small Claims


 Submit  Cancel

**DEFENDANT 1 NOTICE OF ALLOCATION**

COMPLETE DETAILS AS APPROPRIATE:

---


Defendant 1 Standard Disclosure List Due

Select a date 

Defendant 1 Standard Disclosure Request Due

Select a date 

Defendant 1 Electronic Disclosure Issues Date

Select a date 

Defendant 1 Statements BoD/Causation Due

Select a date 

Defendant 1 Statements Condition/Prog Due

Select a date 

 Submit  Cancel

### CASE MANAGEMENT CONFERENCE / PRE-TRIAL REVIEW

Please enter date and time of Case Management Conference, if ordered

Date of Case Management Conference

Time of Case Management Conference

### TRIAL BUNDLE

Date Bundle Due

### HEARING

Hearing Date

Time of Hearing

Court

- (None selected)
- WolverhamptonCombinedCourt - Wolverhampton Combined Court Centre (Pipers Row Wolverhampton - Wolverhamp),

Trial Fee Due

Date Trial Fee Due

**TRIAL BUNDLE**

Date Bundle Due

Select a date



✓ Submit

Cancel

# **N1 Claim Form**



# Claim Form

In the { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name } FORMTEXT }										
Fee Account no.		{ FORMTEXT }								
Help with Fees - Ref no. (if applicable)		H	W	F	-	{ F O R M T E X T }	{ F O R M T E X T }	{ F O R M T E X T }	{ F O R M T E X T }	{ F O R M T E X T }

You may be able to issue your claim online which may save time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

<i>For court use only</i>	
Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
Issue date	{ FORMTEXT }

Claimant(s) name(s) and address(es) including postcode

{ MERGEFIELD "LINKNAME\_TITLE\_1" } { MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
{ MERGEFIELD CALCULATION\_ADDRESS }



Defendant(s) name and address(es) including postcode

{ 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" }" }  
{ IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }= "" "{ MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_ADD }" "{ MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_address }" }

Brief details of claim

{ FORMTEXT }

Value

{ FORMTEXT }

You must indicate your preferred court for hearings here (see notes for guidance)

{ FORMTEXT }



Defendant's name and address for service including postcode

```
{ IF { MERGEFIELD
FW_CN_DEF1_FW_CN_D1_TRU
ST_name } <> "" "{ MERGEFIELD
FW_CN_DEF1_FW_CN_D1_TRU
ST_name }" "{ MERGEFIELD
"FW_CN_DEF1_FW_CN_D1_FNA
ME" } { MERGEFIELD
"FW_CN_DEF1_FW_CN_D1_SNA
ME"}" }
{ IF { MERGEFIELD
FW_CN_DEF1_FW_CN_D1_TRU
ST_name }= "" "{ MERGEFIELD
FW_CN_DEF1_FW_CN_D1_ADD
}" "{ MERGEFIELD
FW_CN_DEF1_FW_CN_D1_TRU
ST_address }" }
```

£

Amount claimed	{ FORMTEXT }
Court fee	{ FORMTEXT }
Legal representative's costs	{ FORMTEXT }
Total amount	{ FORMTEXT }

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).  
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

<b>Claim No</b>	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
-----------------	--

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

Particulars of Claim { IF { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_POC } = "Yes" "To follow" "Attached" }  
{ FORMTEXT }

## Statement of Truth

I understand that proceedings for contempt of Court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

{ FORMCHECKBOX } I believe that the facts stated in this particulars of claim are true.

{ FORMCHECKBOX } The Claimant believes that the facts stated these particulars of claim are true. I am authorised by the claimant to sign this statement.

### Signature

{ FORMCHECKBOX } Claimant

{ FORMCHECKBOX } Litigation friend (where judgment creditor is a child or a patient)

{ FORMCHECKBOX } Claimant's legal representative (as defined by CPR 2.3(1))

### Date

Day

{ FORM  
TEXT }

Month

{ FORMT  
EXT }

Year

{ FORMT  
EXT }

Full name

{ MERGEFIELD  
"CALCULATION\_FEE\_EARNER\_DESCRIPTION" }

Name of claimant's legal representative's firm

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }

If signing on behalf of firm or company give position or office held

{ MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" }

Claimant's or claimant's legal representative's address to which documents should be sent.

Building and street

{ MERGEFIELD PRACTICEINFO\_HOUSE }

Second line of address

{ MERGEFIELD PRACTICEINFO\_AREA }

Town or city

{ MERGEFIELD  
PRACTICEINFO\_POSTAL\_TOWN }

County (optional)

{ MERGEFIELD  
PRACTICEINFO\_COUNTY }

Postcode

{ MERGEFIELD  
PRACTICEINFO\_POSTCODE }

If applicable

Phone number

{ IF { MERGEFIELD  
CALCULATION\_FEE\_EARNE  
R\_PHONE }= "" "{  
MERGEFIELD  
PRACTICEINFO\_PHONE\_NO  
}" "{ MERGEFIELD  
CALCULATION\_FEE\_EARNE  
R\_PHONE }" }

Fax phone number

{ MERGEFIELD  
PRACTICEINFO\_FAX\_NO }

DX number

{ MERGEFIELD PRACTICEINFO\_DX\_NO }

Your ref.

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" }{  
MERGEFIELD "client\_no" }{ MERGEFIELD "matter\_no"  
}

Email

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_EMAIL }



**EX160 Apply for help with fees**

# Apply for help with fees

Reference (office use only)

{ FORMTEXT }

If you have little or no savings and are on certain benefits or have a low income, you may not have to pay a court or tribunal fee, or you may get some money off.

{ gov.uk/help-with-court-fees

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MATINI

## 1. Your personal details

Title

{ MERGEFIELD LINKNAME\_TITLE\_1 }

First and middle names

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME }

Last name

{ MERGEFIELD LINKNAME\_SURNAME\_1 }

Date of birth

{ MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB }

National Insurance number

{ MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_NI }

Home Office reference no. (if applicable)

{ FORMTEXT }

Complete this form using

**CAPITAL LETTERS.**

The information you provide needs to be accurate as it will act as evidence for your application. We'll contact you if we need to see proof of this information.

**Home Office** - You may have a Home Office reference number and not a National Insurance number.

## 2. What is your status?

{ FORMCHECKBOX } Single

{ FORMCHECKBOX } Married or living with someone and sharing an income

**Your status** - If your case is against your partner, such as a divorce, dissolution or domestic violence, tick **single**.

Do not include your partner's details in the following questions.

## 3. About your application

Form no.

{ FORMTEXT }

If no number, briefly describe eg. Small claim hearing fee.

{ FORMTEXT }

## 4. Do you have a case, claim or 'notice to pay' number?

{ FORMCHECKBOX } No

**Case, claim or 'notice to pay' number** - Find this

{ FORMCHECKBOX } Yes, the case, claim or 'notice to pay' number is

{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

---

number on letters  
from the court or  
tribunal.



### 5. Are you paying a fee for a probate case?

{ FORMCHECKBOX } No

{ FORMCHECKBOX } Yes, the name of the deceased is

{ FORMTEXT }

Date of death

{ FO RM TE XT }	{ FO RM TE XT }	{ FORMTE XT }
--------------------------------	--------------------------------	------------------

**Probate** - These cases are usually about the property and belongings of someone who has died.

### 6. Have you already paid the fee?

{ FORMCHECKBOX } No

{ FORMCHECKBOX } Yes, the fee was paid on

{ FO RM TE XT }	{ FO RM TE XT }	{ FORMTE XT }
--------------------------------	--------------------------------	------------------

**Refunds** - You can apply for a refund for a fee paid in the last 3 months.

If you're applying for a refund, answer questions 7 to 11 about your circumstances at the time you paid the fee and include proof of payment.

### 7. How much do you have in savings and investments?

(including your partner if you have one)

{ FORMCHECKBOX } Less than £3,000 → go to question 9

{ FORMCHECKBOX } More than £3,000 → go to question 8

**Savings** - Include all savings and investments, eg ISAs or capital value from additional property you own.

If you have more than £16,000 then you won't be able to get help with your fees. See page 6 of the guide.

### 8. Are you (or your partner) 61 or over?

{ FORMCHECKBOX } No. How much do you have in savings and investments?  
(including your partner if you have one)

£{ FORMTEXT }

{ FORMCHECKBOX } Yes. How much do you have in savings and investments?  
(including your partner if you have one)

{ FORMCHECKBOX } Less than £16,000

{ FORMCHECKBOX } £16,000 or more

### 9. Do you receive any of the benefits listed below?

- Income-based Jobseeker's Allowance (JSA)
- Income-related Employment and Support Allowance (ESA)
- Income Support
- Universal Credit (and you're earning less than £6,000 a year)
- Pension Credit (guarantee credit)
- Scottish Civil Legal Aid  
(not Advice and Assistance or Advice by Way of Representation)

{ FORMCHECKBOX } No → go to question 10

{ FORMCHECKBOX } Yes → go to question 12

### 10. Do you receive any of the benefits listed below?

{ FORMCHECKBOX } No

{ FORMCHECKBOX } Yes, { FORMTEXT } children

### 11. Do you or your partner have any other children that you support financially through maintenance payments?

{ FORMCHECKBOX } No

{ FORMCHECKBOX } Yes, { FORMTEXT } children

---

Benefits - If you're receiving any of these benefits, you're likely to get help with your fees.

We'll contact the Department for Work and Pensions to confirm that you are (or were) getting one of these benefits.

---

**Children** - A child is a person under 16 years old and up to 19 if in full-time education.

If you answered Yes to Questions 10 or 11, please ensure any Child Benefit, Child Tax Credit or income maintenance payments for them are included in Question 12.

---

**12. What is your total monthly income, before tax and National Insurance?**  
(including your partner if you have one)

Some benefits shouldn't be included - e.g. Carer's Allowance, Housing Benefit or childcare element of Working Tax Credit. See full list on page 10 of the guide.

	Your monthly income	Your partner's monthly income
Wages (before tax and National Insurance deductions)	£{ FORMTEXT }	£{ FORMTEXT }
Child Benefit	£{ FORMTEXT }	£{ FORMTEXT }
Working Tax Credit	£{ FORMTEXT }	£{ FORMTEXT }
Child Tax Credit	£{ FORMTEXT }	£{ FORMTEXT }
Maintenance payments	£{ FORMTEXT }	£{ FORMTEXT }
Contribution-based Jobseekers Allowance (JSA)	£{ FORMTEXT }	£{ FORMTEXT }
Contribution-based Employment and Support Allowance (ESA)	£{ FORMTEXT }	£{ FORMTEXT }
Universal Credit (and you are earning more than £6,000 a year)	£{ FORMTEXT }	£{ FORMTEXT }
Pensions (state, work and private)	£{ FORMTEXT }	£{ FORMTEXT }
Rent from anyone living with you	£{ FORMTEXT }	£{ FORMTEXT }
Rent from other properties you own	£{ FORMTEXT }	£{ FORMTEXT }
Other income (please state):	£{ FORMTEXT }	£{ FORMTEXT }
<b>Total monthly income:</b>	£{ FORMTEXT }	£{ FORMTEXT }

If you say you have no income in the table above, please tell us how you support yourself.

{ FORMTEXT }

## 12. Your contact details

Address

{ FORMTEXT }

Postcode

{ FORMTEXT }

Email

{ FORMTEXT }

Phone

{ FORMTEXT }

## 13. Declaration and statement of truth

I believe that my financial circumstances mean that I may be entitled to help with fees. I declare that the information I have given on this form is correct and complete. I understand that if I have given false information, criminal or civil proceedings may be brought against me.

I understand that if I have given false information or I do not provide evidence of the information given in this form if requested, my application may be rejected and the full fee will be payable.

Full name

{ FORMTEXT }

Signature

Date signed

{ FORMTEXT }

Please make sure you have accurately completed all the relevant questions and signed the declaration.

**Return your completed form to the court or tribunal handling your case or claim.**

Find contact details for all courts and tribunals at:  
[gov.uk/find-court-tribunal](http://gov.uk/find-court-tribunal)

The Ministry of Justice and HM Courts and Tribunals Service processes personal information about you in the context of tribunal proceedings.

For details of the standards we follow when processing your data, please visit the following address  
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

To receive a paper copy of this privacy notice, please call 0300 123 1024 Textphone 18001 0300 123 1024. If calling from Scotland, please call 0300 790 6234 Textphone 18001 0300 790 6234.

# Particulars of Claim

IN THE COUNTY COURT AT { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Claim No: { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

**PARTIES:**

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } **Claimant**

and

{ 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" }" } **Defendant**

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PARTICULARS OF CLAIM

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## Statement of Truth

The Claimant believes that the facts stated in this Particulars of Claim are true. The Claimant understands that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised by the Claimant to sign this Statement.

Full name: { MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }

Name of Claimant's legal representative's firm: { MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME }

Legal Representative

Position or office held (if signing on behalf of a firm or a company): { MERGEFIELD CALCULATION\_STATUS\_DESCRIPTION }

Date signed:

# **Schedule of Loss**



**SCHEDULE OF LOSS**

**Schedule of Past and Future Losses and Expenses**

{ MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name }

<b>Claim No:</b>	
<b>Claimant (Including Ref)</b>	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "client_no" }/{ MERGEFIELD "matter_no" }
<b>Defendant (Including Ref)</b>	{ 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" }" }

**I. GENERAL DAMAGES**

- |   |                |
|---|----------------|
| (1) Pain, suffering and loss of amenity | To be assessed |
| (2) Handicap on the labour market       | To be assessed |

**II. 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 }

{ QUOTE { DATE \@ "dd MMMM yyyy" \\* MERGEFORMAT } }

**N251 Notice of funding of case or**

**claim**

# 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 the first document; and
- at any later time that such an arrangement is entered into,

<b>In the</b>	
{ MERGEFIELD FW_CN_COURT_FW_CN_COURT_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.	
<b>Claim No.</b>	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
<b>Claimant</b> (include Ref.)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "MATTER_FEE_EARNER_ID" } { MERGEFIELD "MATTER_FEE_EARNER_ID" }
<b>Defendant</b> (include Ref.)	{ MERGEFIELD "IF" } { MERGEFIELD "FW_CN_DEF1_FW_CN_D1_TRUST_name" } { MERGEFIELD "FW_CN_DEF1_FW_CN_D1_TRUST_name" }

**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 Dated

{ FORMTEXT }

which provides for a success fee

{ FORMCHECKBOX } an insurance poli Dated ed on

Policy no

{ FORMTEXT }

{ FORMTEXT }

Name and address of insurer

{ FORMTEXT }

Level of cover

{ FORMTEXT }

Are the insurance premiums staged?

{ FORMCHECKBOX } Yes {

{ 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 }

FORMCHECKBOX } No

If Yes, at which point is an  
increased  
premium payable

{ FORMTEXT }



Level of cover

{ FORMTEXT }

{ FORMCHECKBOX } an undertaking given on

Dated { FORMTEXT }

Are the insurance premiums staged?

{ FORMCHECKBOX } Yes { FORMCHECKBOX }

No

has been terminated

{ FORMCHECKBOX } an undertaking has been given on

Dated { FORMTEXT }

If Yes, at which point is an increased premium payable

{ FORMTEXT }

Name of prescribed body { FORMTEXT }

in the following terms

{ FORMTEXT }

Signed \_\_\_\_\_

Dated { FORMTEXT }

Solicitor for the (claimant) (defendant)  
(Part 20 defendant) (respondent) (appellant)

# **N235 Certificate of Suitability of**

# **Litigation friend details**

# 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 FW_CN_COURT_FW_CN_COURT_name }	
Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
Claimant (including ref.)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "MATTER_FEE_EARNER_ID" } { MERGEFIELD "client_no" } { MERGEFIELD "matter_no" }
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" }" } { MERGEFIELD FW_CN_D_SOL_INS_FW_CN_D1_SOL_RF }

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.

\* delete if you are acting for the defendant

\*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.

Please write your name in capital letters

{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLES } = "Mr"   } Mr { IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLES } = "Mrs"   } Mrs { IF { MERGEFIELD

Surname { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME }  
Forenames { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_FNAME }

FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TI

TLE }= "Miss"   } Miss

{IF { MERGEFIELD

FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TI

TLE }= "Ms"   } Ms {

FORMCHECKBOX } Other {

FORMTEXT }

Address to which documents in this case  
are to be sent.

{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_AD  
D }

I certify that the information given in this form is correct

Signed \_\_\_\_\_

Date { FORMTEXT }

---

The court office at { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

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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Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO } FORMTEXT }
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My reasons for believing that the (claimant)(defendant) is a protected party are:-

{ FORMTEXT }

**Client - Enc Claim for Approval**

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_INITIA" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME" }" "{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_INITIALS\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }" }  
{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_ADD }" "{ MERGEFIELD CALCULATION\_ADDRESS }" }

Dear { IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE } { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME }" "{ IF { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL } = "" "{ MERGEFIELD LINKNAME\_TITLE\_1 } {  
MERGEFIELD LINKNAME\_SURNAME\_1 }" "{ MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL }" }" }

**Re: { MERGEFIELD MATTER MATTER\_DESCRIPTION }**

Please find enclosed your claim form and particulars of claim for approval.

I wish to draw your attention to the following:

Please contact me at as soon as you have reviewed the documents so that I may submit them to the court.

I look forward to hearing from you.

Yours sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }





# **Court – Issue Proceedings**

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_address }

Dear Sirs

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

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;

Schedule of Expenses and Losses for filing together with copy for service;{ IF {  
MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_TYPE\_FUN } = "CFA" "

Notice of Funding together with copy for service;" "" }{ IF { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_TYPE\_FUN } = "BTE Insurance" "

Notice of Funding together with copy for service;" "" }{ IF { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "

Certificate of suitability of litigation friend;" "" }{ IF { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "

Cheque for the court fee of £\*" "

Cheque for the court fee of £\*" }

**[ 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 CALCULATION\_FEE\_EARNER\_DESCRIPTION }**  
**{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }**

# **Client – Confirm Proceedings**

**Issued**

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_INITIA" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME" }" "{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_INITIALS\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }" }  
{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_ADD }" "{ MERGEFIELD CALCULATION\_ADDRESS }" }

Dear { IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE } { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME }" "{ IF { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL } = "" "{ MERGEFIELD LINKNAME\_TITLE\_1 } {  
MERGEFIELD LINKNAME\_SURNAME\_1 }" "{ MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL }" }" }

**Re: { MERGEFIELD MATTER MATTER\_DESCRIPTION }**

Thank you for approving 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

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }





# **Directions Order - Multi Track**

**Claim No.** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }.

IN THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\*  
UPPER}

BETWEEN:

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD LINKNAME\_SURNAME\_1 }

**Claimant**

and

{ 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" }" }

**Defendant**

---

DRAFT DIRECTIONS ORDER

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**Warning: you must comply with the terms imposed upon you by this order otherwise your case is liable to be struck out or some other sanction imposed. If you cannot comply you are expected to make formal application to the court before any deadline imposed upon you expires.**

on xxxx

before District Judge Xxxx sitting in xxxx

the Judge heard the solicitor for the Claimant and the solicitor for the Defendant

and made the following Order

- 1) The Claim is allocated to the Multi-Track and is assigned to District Judge Xxxx for case management.
- 2) At all stages the parties must consider settling this litigation by any means of Alternative Dispute Resolution (including round table conferences, early neutral evaluation, mediation and arbitration); any party not engaging in any such means proposed by another is to serve a witness statement giving reasons within 21 days of receipt of that proposal. That witness statement must not be shown to the trial judge until questions of costs arise.
- 3) Documents are to be retained as follows:
  - a) the parties must retain all electronically stored documents relating to the issues in this Claim.

- b) the Defendant must retain the original clinical notes relating to the issues in this Claim. The Defendant must give facilities for inspection by the Claimant, the Claimant's legal advisers and experts of these original notes on 7 days written notice.
  - c) legible copies of the medical and educational records of the Claimant / Deceased / Claimant's Mother are to be placed in a separate paginated bundle by the Claimant's Solicitors and kept up to date. All references to medical notes are to be made by reference to the pages in that bundle.
- 4) Disclosure of documents relevant to the issues of breach of duty and causation and quantification of damages will be dealt with as follows:
- a) By 4pm on xxxx both parties must give to each other standard disclosure of documents by list and category.
  - b) By 4pm on xxxx any request must be made to inspect the original of, or to provide a copy of, a disclosable document.
  - c) Any such request unless objected to must be complied with within 14 days of the request.
  - d) By 4pm on xxxx each party must serve and file with the court a list of issues relevant to the search for and disclosure of electronically stored documents, or must confirm there are no such issues, following Practice Direction 31B.
- 5) Evidence of fact will be dealt with as follows:
- a) By 4pm on xxxx both parties must serve on each other copies of the signed statements of themselves and of all witnesses on whom they intend to rely in respect of breach of duty and causation and all notices relating to evidence, including Civil Evidence Act notices.
  - b) For the avoidance of doubt statements of all concerned with the relevant treatment and care of the Claimant must be included.
  - c) By 4pm on xxxx both parties must serve on each other copies of the signed statements of themselves and of all witnesses on whom they intend to rely in respect of condition, prognosis and loss and all notices relating to evidence, including Civil Evidence Act notices.
  - d) Oral evidence will not be permitted at trial from a witness whose statement has not been served in accordance with this order or has been served late, except with permission from the Court.
  - e) Evidence of fact is limited to xx witnesses on behalf of each party.
  - f) Witness statements must not exceed xx pages of A4 in length.
- 6) Expert evidence is directed as follows.
- 7) The parties have permission in respect of breach of duty and causation and quantification of damages to rely on the jointly instructed written evidence of an expert xxxx
- a) By xxxx the expert should be agreed and instructed, and if no expert has been instructed by that date the Claimant must apply to court by 4pm the following day for further directions.
  - b) By xxxx the expert will report to the instructing parties.
  - c) By xxxx the parties may put written questions to the expert.

- d) By xxxx the expert will reply to the questions.
  - e) A copy of this order must be served on the expert by the Claimant with the expert's instructions.
  - f) A party seeking to call the expert to give oral evidence at trial must apply for permission to do so before pre-trial check lists are filed.
  - g) Unless the parties agree in writing or the Court orders otherwise, the fees and expenses of the expert shall be paid by the parties giving instructions for the report equally.
- 8) In respect of breach of duty and causation the parties each have permission to rely on the following written expert evidence:
- a) The Claimant:
    - i) an expert in xxxx, namely Mr A, whose report must be served by xxxx.
    - ii) an expert in xxxx, namely Dr B, whose report must be served by xxxx.
    - iii) an expert in xxxx, namely Ms C, whose report must be served by xxxx
  - b) The Defendant:
    - i) an expert xxxx, namely Mr AA, whose report must be served by xxxx.
    - ii) an expert xxxx, namely Mr BB, whose report must be served by xxxx.
    - iii) an expert xxxx, namely Ms CC, whose report must be served by xxxx.
- 9) In respect of condition, prognosis and quantification of damages the parties (the Defendants acting jointly) each have permission to rely on the following written expert evidence:
- a) The Claimant:
    - i) an expert in xxxx, namely Mr A, whose report must be served by xxxx.
    - ii) an expert in xxxx, namely Dr B, whose report must be served by xxxx.
    - iii) an expert in xxxx, namely Ms C, whose report must be served by xxxx.
  - b) The Defendant:
    - i) an expert in xxxx, namely Mr AA, whose report must be served by xxxx.
    - ii) an expert in xxxx, namely Mr BB, whose report must be served by xxxx.
    - iii) an expert in xxxx, namely Ms CC, whose report must be served by xxxx.
- 10) Unless the reports are agreed, there must be a without prejudice discussion between the experts of like discipline by 4pm on xxxx in which the experts will identify the issues between them and reach agreement if possible. The experts will prepare for the court and sign a statement of the issues on which they agree and on which they disagree with a summary of their reasons in accordance with Rule 35.12 Civil Procedure Rules, and

each statement must be sent to the parties to be received by 4pm on xxxx and in any event no later than 7 days after the discussion.

- 11) Unless otherwise agreed by all parties' solicitors, after consulting with the experts, a draft Agenda which directs the experts to the remaining issues relevant to the experts' discipline, as identified in the statements of case shall be prepared jointly by the Claimant's solicitors and experts and sent to the Defendant's solicitors for comment at least 35 days before the agreed date for the experts' discussions.
- 12) The Defendants shall within 21 days of receipt agree the Agenda, or propose amendments.
- 13) A copy of this order must be served on each expert with the expert's instructions.
- 14) The parties have permission to call oral evidence of the experts in xxxx limited to issues remaining in dispute between experts of like discipline.
- 15) Any unpublished literature upon which any expert witness proposes to rely must be served at the same time as service of his report together with a list of published literature. Any supplementary literature upon which any expert witness relies must be notified to all parties at least one month before trial. No expert witness may rely upon any publications that have not been disclosed in accordance with this order without the permission of the trial judge subject to costs as appropriate.
- 16) Experts will, at the time of producing their reports, incorporate details of any employment or activity which raises a possible conflict of interest.
- 17) For the avoidance of doubt, experts do not require the authorisation of solicitor or counsel before signing a joint statement.
- 18) If an expert radically alters an opinion previously recorded, the joint statement should include a note or addendum by that expert explaining the change of opinion.
- 19) Schedules of Loss must be updated as follows:
  - a) By 4pm on xxxx the Claimant must send an up to date schedule of loss to the Defendant.
  - b) By 4pm on xxxx the Defendant, in the event of challenge, must send an up to date counter-schedule of loss to the Claimant.
  - c) The schedule and counter-schedule must contain a statement setting out that party's case on the issue of periodical payments pursuant to Rule 41.5 Civil Procedure Rules.
- 20) The trial will be listed as follows.
  - a) The trial window is between xxxx and xxxx inclusive.
  - b) The estimated length of trial is xx day s.
  - c) By 4pm on xxxx the parties must file with the court their availability for trial, preferably agreed and with a nominated single point of contact. They will be notified of the time and place of trial.
  - d) By 4pm on xxxx pre-trial check lists must be sent to the court.
- 21) Pre-trial directions are as follows:

- a) There will be a pre-trial review 4 weeks before the trial window starts with a time estimate of 30 minutes.
  - b) The pre-trial review will be conducted by telephone, unless the court orders otherwise. The Claimant must make the relevant arrangements in accordance with Practice Direction 23A Civil Procedure Rules.
  - c) At least 3 clear days before the case management conference the Claimant must file and send to the Defendant preferably agreed and by email:
    - i) any draft directions;
    - ii) a case summary.
- 22) Not more than 7 nor less than 3 clear days before the trial, the Claimant must file at court and serve an indexed and paginated bundle of documents which complies with the requirements of Rule 39.5 Civil Procedure Rules and Practice Direction 32 paragraph 27. The parties must endeavour to agree the contents of the bundle before it is filed. The bundle will include a case summary and a chronology.
- 23) The parties must file with the court and exchange skeleton arguments at least three days before the trial, by email.
- 24) Costs in the case.

**Claim No. { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name \\*  
UPPER}

BEFORE [insert name]

DATED: [insert date]

BETWEEN:

{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD "LINKNAME\_SURNAME\_1" }

**Claimant**

and

{ 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" }" }

**Defendant**

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**DRAFT  
DIRECTIONS ORDER**

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{ MERGEFIELD  
"PRACTICEINFO\_PRACTICE\_NAME" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_AREA" \f"  
"}{ MERGEFIELD  
"PRACTICEINFO\_POSTAL\_TOWN" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_COUNTY"  
 \f"  
"}{ MERGEFIELD  
"PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID"  
}{ MERGEFIELD "client\_no" }{ MERGEFIELD  
"matter\_no" }





# **Direction Order – Fast Track**

**Claim No.** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }.

IN THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\*  
UPPER}

BETWEEN:

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD LINKNAME\_SURNAME\_1 }

**Claimant**

and

{ 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" }" }

**Defendant**

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[Draft]

Fast track standard directions

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#### **Further statements of case**

The [claimant OR defendant OR other party] must file a [*name of statement of case*] and serve a copy on the [claimant OR defendant OR other party] no later than [*time and calendar date*].

#### **Requests for further information**

Any request for clarification or further information based on another party's statement of case shall be served no later than [*time and calendar date*].

[Any such request shall be dealt with no later than [*time and calendar date*].]

#### **Disclosure of documents**

[No disclosure of documents is required.

OR

[Each party OR The [claimant OR defendant OR other party]] shall give to the [claimant OR defendant OR every other party] standard disclosure of documents [relating to [*identify relevant issue(s)*]] by serving copies together with a disclosure statement no later than [*time and calendar date*].

Disclosure shall take place as follows:

[Each party shall give standard disclosure to every other party by list OR Disclosure is limited to [standard] disclosure by the [*name of party/ies*] to the [*name of party/ies*] of [documents relating to damage OR the following documents [*identify relevant document(s) or category/ies of document(s)*]].

The latest date for delivery of the lists is [*time and calendar date*].

The latest date for service of any request to inspect or for a copy of a document is [*time and calendar date*].]

### **Witnesses of fact**

Each party shall serve on every other party the witness statements of all witnesses of fact on whom they intend to rely.

There shall be simultaneous exchange of such statements no later than [*time and calendar date*].

### **Expert evidence**

[No expert evidence being necessary, no party has permission to call or rely on expert evidence.

OR

[On it appearing to the court that expert evidence is necessary on the issue of [*identify relevant issue(s)*] and that that evidence should be given by the report of a single expert instructed jointly by the parties, the [claimant OR defendant OR other party] shall no later than [*time and calendar date*] inform the court whether or not such an expert has been instructed. OR The expert evidence on the issue of [*identify issue*] shall be limited to a single expert jointly instructed by the parties.]

If the parties cannot agree by [*time and calendar date*] who that expert is to be and about the payment of their fees, either party may apply for further directions.

Unless the parties agree in writing or the court orders otherwise, the fees and expenses of such an expert shall be paid to them by [the parties equally OR the claimant][the defendant OR other party OR some combination of the parties] and be limited to £ [*amount*].

The report of the expert shall be filed at the court no later than [*time and calendar date*].

No party shall be entitled to recover by way of costs from any other party more than £ [*amount*] for the fees or expenses of an expert.

The parties shall exchange reports setting out the substance of any expert evidence on which they intend to rely.

[The exchange shall take place simultaneously no later than [*time and calendar date*] OR The [claimant's expert OR defendant's expert OR other party's expert] shall serve their report(s) no later than [*time and calendar date*] and the [defendant's expert OR claimant's expert OR other party's expert] shall serve their report(s) no later than [*time and calendar date*]. OR The exchange of reports relating to [causation OR [*identify relevant issue(s)*]] shall take place simultaneously no later than [*time and calendar date*] OR The [claimant's expert OR defendant's expert OR other party's expert] shall serve their report(s) relating to [damage OR [*identify relevant issue(s)*]] no later than [*time and calendar date*] and the [claimant's expert OR defendant's expert OR other party's expert] shall serve their report(s) relating to it no later than [*time and calendar date*].]

Reports shall be agreed if possible no later than [[*time and calendar date*] OR [*no of*] days after service].

If the reports are not agreed within that time, there shall be a without prejudice discussion between the relevant experts no later than [*calendar date*] to identify the issues between them and to reach agreement if possible.

The experts shall prepare for the court a statement of the issues on which they agree and on which they disagree with a summary of their reasons, and that statement shall be filed with the court [no later than [*calendar date*] OR with the pre-trial check list OR no later than the date for filing the pre-trial check list].

[Each party has permission to use [*name(s) of witness(es)*] as expert witness(es) to give [oral] evidence [in the form of a report] at the trial in the field of [*identify relevant field(s) of expertise*] provided that the substance of the evidence to be given has been disclosed as above and has not been agreed. OR Each party has permission to use in evidence experts' report(s) [and the court will consider when the claim is listed for trial whether expert oral evidence will be allowed].]

No party shall be entitled to recover by way of costs from any other party more than £ [*amount*] for the fees or expenses of an expert.]

### **Questions to experts**

The time for service on another party of any question addressed to an expert instructed by that party is not later than [*number of*] days after service of that expert's report.

Any such question shall be answered within [*number of*] days of service.

### **Requests for information etc**

Each party shall serve any request for clarification or further information based on any document disclosed or statement served by another party no later than [*number of*] days after disclosure or service.

Any such request shall be dealt with within [*number of*] days of service.

### **Documents to be filed with pre-trial check lists**

The parties must file with their pre-trial check lists copies of [their experts' reports] [witness statements] [replies to requests for further information].

### **Dates for filing pre-trial checklists and the trial**

Each party must file a completed pre-trial check list no later than [*time and calendar date*].

The trial of this case will take place [on [*calendar date*] OR on a date to be fixed between [*calendar date*] and [*calendar date*]].

### **Directions following filing of pre-trial checklist**

#### **Expert evidence**

The parties have permission to rely at the trial on expert evidence as follows:

The claimant:

Oral evidence—[*insert detail*]

Written evidence—[*insert detail*]

The defendant:

Oral evidence—*[insert detail]*

Written evidence—*[insert detail]*

### **Trial timetable**

The time allowed for the trial is *[insert trial estimate]*.

[The timetable for the trial may be agreed by the parties, subject to the approval of the trial judge.

OR

The timetable for the trial (subject to the approval of the trial judge) will be that *[insert detail].]*

[The evidence in chief for each party will be contained in witness statements and reports, the time allowed for cross-examination by the defendant is limited to *[number of [hours OR half-hours]]* and the time allowed for cross-examination by the claimant is limited to *[number of [hours OR half-hours]].]*

[The time allowed for the claimant's evidence is *[number of [hours OR half-hours]]*. The time allowed for the defendant's evidence is *[number of [hours OR half-hours]].]*

The time allowed for the submissions on behalf of each party is *[number of [hours OR half-hours]].]*

The remainder of the time allowed for the trial (being *[balance of trial estimate less the times referred to above]*) is reserved for the judge to consider and give the judgment and to deal with costs.

### **Trial bundle etc**

The claimant shall lodge an indexed bundle of documents contained in a ring binder and with each page clearly numbered at the court not more than seven days and not less than three days before the start of the trial.

[A case summary (which should not exceed 250 words) outlining the matters still in issue, and referring where appropriate to the relevant documents, shall be included in the bundle for the assistance of the judge in reading the papers before the trial.]

[The parties shall seek to agree the contents of the trial bundle and the case summary.]

### **Settlement**

**Each party must inform the court immediately if the claim is settled whether or not it is then possible to file a draft consent order to give effect to their agreement.**



**Claim No. { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name \\*  
UPPER}

BEFORE [insert name]

DATED: [insert date]

BETWEEN:

{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD "LINKNAME\_SURNAME\_1" }

**Claimant**

and

{ 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" }" }

**Defendant**

---

**[Draft]**

**Fast track standard directions**

---

{ MERGEFIELD  
"PRACTICEINFO\_PRACTICE\_NAME" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_AREA" \f"  
"}{ MERGEFIELD  
"PRACTICEINFO\_POSTAL\_TOWN" \f"  
"}{ MERGEFIELD "PRACTICEINFO\_COUNTY"  
 \f"  
"}{ MERGEFIELD  
"PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID"  
 } { MERGEFIELD "client\_no" } { MERGEFIELD  
 "matter\_no" }

# **N180 small claims track**



# Directions questionnaire (Small Claims Track)

In the  
{ MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Claim No.  
{ MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

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

You should note the date by which this questionnaire 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.

## A Settlement/Mediation

Under the Civil Procedure Rules parties should make every effort to settle their case. At this stage you should still think about whether you and the other party(ies) can settle your dispute without going to a hearing.

You may seek to settle the claim either by direct discussion or negotiation with the other party or by mediation. If settlement is reached parties may enter into a binding agreement which can be enforced if the terms of the agreement were to be breached.

Mediation is a way of resolving disputes without a court hearing, where the parties are assisted in resolving their dispute with the help of an impartial mediator. If the claim is settled at this stage the parties can avoid further court fees, costs and time involved in preparing and attending a hearing.

You may use any mediation provider. However, HMCTS provide a free confidential Small Claims Mediation Service which is available to parties in most small claims cases which are for less than £10,000.

Mediation is usually carried out by telephone in one hour time limited appointments convenient to the parties and is quicker than waiting for a court hearing before a judge. There is no obligation to use the Small Claims Mediation Service nor are you required to settle if you do. If you are unable to reach agreement with the other party at mediation, the claim will proceed to a small claims hearing before a judge.

You can get more information about mediation from [www.gov.uk](http://www.gov.uk)

If all parties agree, this case will be referred to the Small Claims Mediation Service. In any event the court may order the service to contact you to explore mediation.

**A1** Do you agree to this case being referred to the Small Claims Mediation Service? { FORMCHECKBOX } Yes { FORMCHECKBOX } No

Please give your contact details below – If all parties agree to mediation your details will be passed to the small claims mediation team who will contact you to arrange an appointment.

**You must complete the remainder of the form regardless of your answer to A1**

## B Your contact details

Your full name

{ MERGEFIELD  
CALCULATION\_FEE\_EARNER\_DESCRIPTION }

Address for Service

{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" }  
{ MERGEFIELD "PRACTICEINFO\_AREA" }  
{ MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" }  
{ MERGEFIELD "PRACTICEINFO\_COUNTY" }  
{ MERGEFIELD "PRACTICEINFO\_POSTCODE" }

Telephone number

{ IF {

Mobile

{ FORMTEXT }

## Notes

It is essential that you provide this information, particularly if you have requested mediation. Staff will contact you within office hours (9am - 5pm).

```
MERGEFIELD  
CALCULATION_F  
EE_EARNER_PH  
ONE }= "" "{  
MERGEFIELD  
PRACTICEINFO_  
PHONE_NO }" "{  
MERGEFIELD  
CALCULATION_F  
EE_EARNER_PH  
ONE }" }
```

Email

```
{ MERGEFIELD  
CALCULATION_FEE_EARNER_EMAIL }
```

**C Track**

- C1** Do you agree that the small claims track is the appropriate track for this case?  Yes  No

If No, say why not and state the track to which you believe it should be allocated

{ FORMTEXT }

**D About the hearing****Hearing venue**

- D1** At which county court would you prefer the small claims hearing to take place and why?

{ FORMTEXT }

**Expert evidence**

- D2** Are you asking for the court's permission to use the written evidence of an expert?  Yes  No

If Yes, state why and give the name of the expert (if known) and the area of expertise and the likely cost if appointed.

{ FORMTEXT }

**Witnesses**

- D3** How many witnesses, including yourself, will give evidence on your behalf at the hearing?

{ FORMTEXT }

**Hearing**

- D4** Are there any days within the next six months when you, an expert or a witness will not be able to attend court for the hearing?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, please give details

	Dates <b>not</b> available
Yourself	{ FORMTEXT }
Expert	{ FORMTEXT }
Other essential witness	{ FORMTEXT }

Will you be using an interpreter at the hearing either for yourself or for a witness?

{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

If Yes, please specify the type of interpreter

{ FORMTEXT }

**Notes****Track**

The small claims track – generally for lower value and less complex claims with a value under £10,000. You can get more information by reading leaflet EX306 'The small claims track in civil courts'. You can get this leaflet online from [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)

**Location**

If your claim is a designated money claim the case will usually be transferred to the claimants preferred court or the defendants home court as appropriate. However, there is no guarantee of transfer to this court. For further information see CPR Parts 3, 12, 13, 14 and 26.

**Expert evidence**

The court must grant you permission to use an expert witness. Your notice of allocation will tell you if permission has been granted. Please note the upper limit for experts' fees that can be recovered is £750. You can get more information by reading leaflet EX306 'The small claims track in civil courts'. You can get this leaflet online from [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)

**Witnesses**

Witnesses may be asked to give evidence by either party. The court needs to have notice that you intend to call a witness. Witness expenses for travel accommodation and loss of earning should be met by the party requesting their attendance. You can get more information by reading EX342 'Coming to a court hearing'. You can get this leaflet online from [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)

**Hearing**

Dates to avoid: You should enter those dates where you, your expert or an essential witness will not be able to attend court because of a holiday or other commitments.

**Interpreters:** In some circumstances the court will arrange for, and meet the cost of an interpreter. If you require an interpreter, you should contact the court immediately. Further details visit our website [www.justice.gov.uk](http://www.justice.gov.uk) under 'guidance'.

## Signature

You must sign this form

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

---

Once you have completed this form please return it to the court with the fee to the address shown on the form N149A, notice of proposed allocation to Small Claims Track



**N181 fast track or multi track**

# Directions questionnaire (Fast track and Multi-track)

<b>In the</b> { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name }	<b>Claim No.</b> { MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
--	---

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

You should note the date by which this questionnaire 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.

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

You should write the claim number on any other documents you send with your directions questionnaire. Please ensure they are firmly attached to it.

## 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 { FORMCHECKBOX } I confirm try to settle.

### 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.

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:

## Notes

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 must still complete the rest of the questionnaire.

More information about mediation, the fees charged and a directory of mediation providers is available online from [www.civilmediation.justice.gov.uk](http://www.civilmediation.justice.gov.uk) This service provides members of the public and businesses with contact details for national civil and commercial mediation providers, all of whom are accredited by the Civil Mediation Council.

{FORMTEXT }



## B Court

### B1. (High Court only)

The claim has been issued in the High Court. Do you consider it should remain there?

{ FORMCHECKBOX }

} Yes { FORMCHECKBOX } No

If Yes, in which Division/List?

{ FORMTEXT }

If No, in which County Court hearing centre would you prefer the case to be heard?

{ FORMTEXT }

### B2. Trial (all cases)

Is there any reason why your claim needs to be heard at a court or hearing centre?

{ FORMCHECKBOX }

} Yes { FORMCHECKBOX } No

If Yes, say which court and why?

{ FORMTEXT }

## C Pre-action protocols

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

Have you done so?

{ FORMCHECKBOX }

} Yes { FORMCHECKBOX } No

If you have not complied, or have only partially complied, please explain why.

{ FORMTEXT }

## D Case management information

### D1. Applications

Have you made any application(s) in this claim?

{ FORMCHECKBOX }

} Yes { FORMCHECKBOX } No

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

{ FORMTEXT }

For hearing on

{	{	{	{
F	F	F	F
O	O	O	O
R	R	R	R
M	M	M	M
T	T	T	T
E	E	E	E
X	X	X	X
T	T	T	T
}	}	}	}

D2. Track

## Notes

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.

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: [www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/civil/menus/protocol.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/civil/menus/protocol.htm)

### D1. Applications

It is important for the court to know if you have already made any applications in the claim (or are about to issue one), what they are for and when they will be heard. The outcome of the applications may affect the case management directions the court gives.

D2. Track

If you have indicated in the proposed directions a track attached which would not be the normal track for the claim, please give brief reasons below for your choice.

{ FORMTEXT }

The basic guide by which claims are normally allocated to a track 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 detail.

**D3. Disclosure of electronic documents (multi-track cases only)**

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

1. Have you reached agreement, either using the Electronic Documents  
 } Yes { FORMCHECKBOX } No { FORMCHECKBOX }

Questionnaire in Practice Direction 31B or otherwise, about the scope  
 and extent of disclosure of electronic documents on each side?

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

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  
 Management Conference or at a separate hearing?

{ FORMTEXT }

**D4. Disclosure of non-electronic documents (all cases)**

What directions are proposed for disclosure?

{ FORMTEXT }

**For all multi-track cases, except personal injury.**

Have you filed and served a disclosure report (Form N263) { FORMCHECKBOX }

} Yes { FORMCHECKBOX } No  
 (see Civil Procedure Rules Part 31).

Have you agreed a proposal in relation to disclosure that meets the { FORMCHECKBOX }

} Yes { FORMCHECKBOX } No  
 overriding objective?

If Yes, please ensure this is contained within the proposed directions  
 attached and specify the draft order number.

{ FORMTEXT }

**E Experts**

Do you wish to use expert evidence at the trial or final hearing? { FORMCHECKBOX }  
 Yes { FORMCHECKBOX } No

Have you already copied any experts' report(s) to the other party(ies)? { FORMCHECKBOX }  
 None yet obtained

Yes { FORMCHECKBOX } No { FORMCHECKBOX }

Do you consider the case suitable for a single joint expert in any field? { FORMCHECKBOX }  
 Yes { FORMCHECKBOX } No

There is no presumption that expert evidence is necessary, or that each party will be entitled to their own expert(s). Therefore, the court requires a short explanation of your proposals with regard to expert evidence.

## E Experts (continued)

## Notes

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). Please provide justification of your proposal and an estimate of costs.

Expert's name	Field of expertise (e.g. orthopaedic surgeon, surveyor, engineer)	Justification for expert and estimate of costs
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME1_SPEC }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CON_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CON_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME2_SPEC }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CON_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CON_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME3_SPEC }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME4_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME4_CON_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME4_CON_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME4_SPEC }	{ FORMTEXT }

## F Witnesses

Which witnesses of fact do you intend to call at the trial or final hearing including, if appropriate, yourself?

Witness name	Witness to which facts
{ MERGEFIELD "FW_CN_WITNESS1_FWWIT1TITLE" } { MERGEFIELD "FW_CN_WITNESS1_FWWIT1FORENAME" } { MERGEFIELD "FW_CN_WITNESS1_FWWIT1SURNAME" }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS2_FWWIT2TITLE" } { MERGEFIELD "FW_CN_WITNESS2_FWWIT2FORENAME" } { MERGEFIELD "FW_CN_WITNESS2_FWWIT2SURNAME" }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS3_FWWIT3TITLE" } { MERGEFIELD "FW_CN_WITNESS3_FWWIT3FORENAME" } { MERGEFIELD "FW_CN_WITNESS3_FWWIT3SURNAME" }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS4_FWWIT4TITLE" } { MERGEFIELD "FW_CN_WITNESS4_FWWIT4FORENAME" } { MERGEFIELD "FW_CN_WITNESS4_FWWIT4SURNAME" }	{ FORMTEXT }

## G Trial or Final Hearing

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

{ FORMCHECKBOX } less than one day

{ FORMCHECKBOX } one day

{ FORMCHECKBOX } more than one day

{ FORMTEXT } Hrs

{ FORMTEXT } State number of days

Give the best estimate you can of the time that the court will need to decide this case. If, later you have any reason to shorten or lengthen this estimate you should let the court know immediately.

You should only enter those dates when you, your expert(s) or essential witnesses will not be available to attend court because of holiday or other commitments

Are there any days within the next 12 months when you, an expert or an essential witness will not be able to attend court for trial or final hearing?

If Yes, please give details

Name	Dates not available
------	---------------------

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

You should notify the court immediately if any of these dates change.

**Do not complete this section if:**

- 1) you do not have a legal representative acting for you
- 2) the case is subject to fixed costs

If your claim is likely to be allocated to the Multi-Track form Precedent H must be filed at in accordance with CPR 3.13.

I confirm Precedent H is attached. { FORMCHECKBOX }

**I Other information**

Do you intend to make any applications in the 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 }

You must attempt to agree proposed directions with all other parties. **Whether agreed or not a draft of the order for directions which you seek must accompany this form.**

All proposed directions for multi-track cases must be based on the directions at [www.justice.gov.uk/courts/procedure-rules/civil](http://www.justice.gov.uk/courts/procedure-rules/civil)

All proposed directions for fast track cases must be based on CPR Part 28.

**Signature**

Date

{	{		{	{		{	{	{	{
F	F		F	F		F	F	F	F
O	O		O	O		O	O	O	O
R	R		R	R		R	R	R	R
M	M	/	M	M	/	M	M	M	M
T	T		T	T		T	T	T	T
E	E		E	E		E	E	E	E
X	X		X	X		X	X	X	X
T	T		T	T		T	T	T	T
}	}		}	}		}	}	}	}

[Solicitor for the ]1st[2nd[3rd]]( FORMTEXT )  
 [Claimant][Defendant][Part 20 claimant]

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

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION } { MERGEFIELD PRACTICEINFO_PRACTICE_NAME } { MERGEFIELD "PRACTICEINFO_HOUSE" } { MERGEFIELD "PRACTICEINFO_AREA" } { MERGEFIELD "PRACTICEINFO_POSTAL_TOWN" } { MERGEFIELD "PRACTICEINFO_COUNTY" }  Postcode { MERGEFIELD PRACTICEINFO_POSTCODE }	If applicable	
	Telephone no.	{ IF { MERGEFIELD CALCULATION_FEE_EARNER_PHONE }= "" "{ MERGEFIELD PRACTICEINFO_PHONE_NO }" "{ MERGEFIELD CALCULATION_FEE_EARNER_PHONE }" }
	Fax no.	{ MERGEFIELD PRACTICEINFO_FAX_NO }
	DX no.	{ MERGEFIELD PRACTICEINFO_DX_NO }
	Your ref.	{ MERGEFIELD "MATTER_FEE_EARNER_ID" }{ MERGEFIELD "client_no" }{ MERGEFIELD "matter_no" }

Email	{ MERGEFIELD CALCULATION_FEE_EARNER_EMAIL }
-------	---

# Continuation Sheet

<b>In the</b> { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name }	<b>Claim No.</b> { MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
---	--

Witness name	Witness to which facts
{ MERGEFIELD "FW_CN_WITNESS5_FWWIT5TITLE" } { MERGEFIELD "FW_CN_WITNESS5_FWWIT5FORENAME" } { MERGEFIELD "FW_CN_WITNESS5_FWWIT5SURNAME" }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS6_FWWIT6TITLE" } { MERGEFIELD "FW_CN_WITNESS6_FWWIT6FORENAME" } { MERGEFIELD "FW_CN_WITNESS6_FWWIT6SURNAME" }	{ FORMTEXT }



# **Court – Enclosing Directions**

# Questionnaire

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_address }

Dear Sirs

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
**Claim No:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

Please find enclosed directions questionnaire and enclosures for filing on behalf of my client,  
{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD  
"LINKNAME\_SURNAME\_1" }.

{ IF { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_HWF } = "Yes" "I also enclose form  
EX160 [and relevant fee]." "I enclose the relevant fee." }

Yours Faithfully

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Defendant 1 – Enclosing**

# **Directions Questionnaire**

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_title } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_initials } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_surname }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_name }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_address }

Dear Sirs

**Your Client:** { IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "{  
MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

**Our Client:** { MERGEFIELD LINKNAME\_TITLE\_1 } { MERGEFIELD  
LINKNAME\_FORENAME\_1 } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }

Please find enclosed copy of my client's direction questionnaire filed with the courts today.

{ IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "Yours Sincerely"  
"Yours Faithfully" }

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Dates to avoid expert 1**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD "FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_title" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_forename" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_surname" }  
{ IF { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_compname } = "" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_address }" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_compaddress }" }

Dear { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_title } {  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME1\_CON\_surname }

**Re: Our Client:** { MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD LINKNAME\_SURNAME\_1 }  
**Address:** { MERGEFIELD CLIENT\_HOUSE }, { MERGEFIELD  
"CLIENT\_POSTAL\_TOWN" }, { MERGEFIELD  
"CLIENT\_POSTCODE" }  
**Date of Birth:** { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB  
\@"d"\\*Ordinal } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "MMMM yyyy" }

You will no doubt recall having prepared a Medical Report dated { ASK redate "Enter the date of the report." } { REF redate \@ "d MMMM yyyy" \\* MERGEFORMAT } 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 FW\_CN\_COURT\_FW\_CN\_COURT\_name };
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 courtdate "Enter the date by which dates to Court must be supplied." } { REF courtdate \@ "d MMMM yyyy" \\* MERGEFORMAT }, and we would therefore be grateful to receive your reply as soon as possible.

Yours Sincerely

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}



{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

## **Dates to avoid expert 2**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD "FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_title" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_forename" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_surname" }  
{ IF { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_compname } = "" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_address }" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_compaddress }" }

Dear { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_title } {  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME2\_CON\_surname }

**Re: Our Client:** { MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD LINKNAME\_SURNAME\_1 }  
**Address:** { MERGEFIELD CLIENT\_HOUSE }, { MERGEFIELD  
"CLIENT\_POSTAL\_TOWN" }, { MERGEFIELD  
"CLIENT\_POSTCODE" }  
**Date of Birth:** { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB  
\@"d"\*Ordinal } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "MMMM yyyy" }

You will no doubt recall having prepared a Medical Report dated { ASK redate "Enter the date of the report." } { REF redate \@ "d MMMM yyyy" \\* MERGEFORMAT } 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 FW\_CN\_COURT\_FW\_CN\_COURT\_name };
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 courtdate "Enter the date by which dates to Court must be supplied." } { REF courtdate \@ "d MMMM yyyy" \\* MERGEFORMAT }, and we would therefore be grateful to receive your reply as soon as possible.

Yours Sincerely

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

## **Dates to avoid expert 3**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD "FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_title" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_forename" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_surname" }  
{ IF { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_compname } = "" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_address }" "{ MERGEFIELD  
FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_compaddress }" }

Dear { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_title } { MERGEFIELD  
FW\_CN\_MED\_EXP\_FW\_CN\_ME3\_CON\_surname }

**Re: Our Client:** { MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }  
**Address:** { MERGEFIELD CLIENT\_HOUSE }, { MERGEFIELD  
"CLIENT\_POSTAL\_TOWN" }, { MERGEFIELD  
"CLIENT\_POSTCODE" }  
**Date of Birth:** { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "d" \\* Ordinal  
} { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "MMMM  
yyyy" }

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the date of the report." } { REF repdate \@ "d MMMM yyyy" \\* MERGEFORMAT } 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 FW\_CN\_COURT\_FW\_CN\_COURT\_name };
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 courtdate "Enter the date by which dates to Court must be supplied." } { REF courtdate \@ "d MMMM yyyy" \\* MERGEFORMAT }, and we would therefore be grateful to receive your reply as soon as possible.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}

{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

## **Dates to avoid expert 4**



{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\cb30e890-7efc-4b15-b6d3-  
2c021870902b\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD "FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_title" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_forename" } { MERGEFIELD  
"FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_surname" }  
{ IF { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_compname } = "" "{  
MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_address }" "{ MERGEFIELD  
FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_compaddress }" }

Dear { MERGEFIELD FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_title } { MERGEFIELD  
FW\_CN\_MED\_EXP\_FW\_CN\_ME4\_CON\_surname }

**Re: Our Client:** { MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }  
**Address:** { MERGEFIELD CLIENT\_HOUSE }, { MERGEFIELD  
"CLIENT\_POSTAL\_TOWN" }, { MERGEFIELD  
"CLIENT\_POSTCODE" }  
**Date of Birth:** { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "d" \\*Ordinal  
} { MERGEFIELD CLI1\_ADD\_INFO\_FW\_CLI1\_DOB \@ "MMMM  
yyyy" }

You will no doubt recall having prepared a Medical Report dated { ASK repdate "Enter the  
date of the report." } { REF repdate \@ "d MMMM yyyy" \\* MERGEFORMAT } 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 FW\_CN\_COURT\_FW\_CN\_COURT\_name };
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 courtdate "Enter the date  
by which dates to Court must be supplied." } { REF courtdate \@ "d MMMM yyyy" \\*  
MERGEFORMAT }, and we would therefore be grateful to receive your reply as soon as  
possible.

Yours Sincerely

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\cb30e890-7efc-4b15-b6d3-  
2c021870902b\\footer.doc"}

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# Case Summary

IN THE  
{ MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name                      Claim No. { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }  
\\*UPPER }

B E T W E E N : -

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD  
"LINKNAME\_SURNAME\_1" }

Claimant

- and -

{ IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME  
} { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

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: { MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } \ { MERGEFIELD "client\_no" } \ {  
MERGEFIELD "matter\_no" } REF: { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_RF }

Dated .....

IN THE { MERGEFIELD  
FW\_CN COURT FW\_CN COURT\_name \\*  
UPPER }

CLAIM NUMBER: { MERGEFIELD  
FW\_CN COURT FW\_CN CT CL NO }

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

- and -

{ IF { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = ""  
"{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } {  
MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } {  
MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{  
MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }  
Defendant

---

*BRIEF TO COUNSEL TO  
REPRESENT THE CLAIMANT*

---

Clerk to { MERGEFIELD  
"FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_title" } {  
MERGEFIELD  
"FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_forename  
" } { MERGEFIELD

```
"FW_CN_COUNSEL_FW_CN_COUN_CON_surname"  
    }  
    { MERGEFIELD  
FW_CN_COUNSEL_FW_CN_COUN_ORG_name }
```

**N265 Make a standard disclosure**



**of documents to the court**

# 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 FW_CN_COURT_FW_CN_COURT_name }	
Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
Claimant (Including ref)	{ MERGEFIELD "LINKNAME_FORENAME_1" } { MERGEFIELD "LINKNAME_SURNAME_1" } { MERGEFIELD "MATTER_FEE_EARNER_ID" } \ { MERGEFIELD "client_no" } \ { MERGEFIELD "matter_no" }
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" }" } } { MERGEFIELD FW_CN_D_SOL_INS_FW_CN_D1_SOL_RF }
Date	{ FORMTEXT }

**Disclosure statement**

I, the above named

{ FORMCHECKBOX } Claimant { FORMCHECKBOX } Defendant

{ FORMCHECKBOX } (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)

{ FORMCHECKBOX } Party

{ 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 } { FORMCHECKBOX } portable data storage media  
PCs

{ FORMCHECKBOX } servers

{ FORMCHECKBOX } { FORMCHECKBOX } off-site storage  
databases

{ FORMCHECKBOX } { FORMCHECKBOX } laptops  
back-up tapes

{ FORMCHECKBOX } handheld devices

{ FORMCHECKBOX }  
mobile phones

{ FORMCHECKBOX }  
notebooks

{ FORMCHECKBOX }  
PDA devices

documents contained on or created by the { FORMCHECKBOX } Claimant { FORMCHECKBOX } Defendant

{ FORMCHECKBOX } { FORMCHECKBOX } document files  
mail files

{ FORMCHECKBOX } web-based applications

{ FORMCHECKBOX } { FORMCHECKBOX } graphic and presentation files  
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 of documents (as set c 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){ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "(s litigation friend)" "(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 }

# **Client – Advice on Disclosure**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_INITIA" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME" }" "{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_INITIALS\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }" }  
{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_ADD }" "{ MERGEFIELD CALCULATION\_ADDRESS }" }

Dear { IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE } { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME }" "{ IF { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL } = "" "{ MERGEFIELD LINKNAME\_TITLE\_1 } {  
MERGEFIELD LINKNAME\_SURNAME\_1 }" "{ MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL }" }" }

**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 { 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" }" } ('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.

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}



*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 }

# **Defendant 1 - Enclosing List of**

# Documents

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorApp\_expxx  
2x1s6rv4\\LocalState\\OspreyDocuments\\0f5ace78-e45b-4f8b-bd3c-  
23503f6ff2ab\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_title } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_initials } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_surname }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_name }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_address }

Dear Sirs

**Your Client:** { IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "{  
MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

**Our Client:** { MERGEFIELD LINKNAME\_TITLE\_1 } { MERGEFIELD  
LINKNAME\_FORENAME\_1 } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }

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.

{ IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "Yours Sincerely" "  
Yours Faithfully" }

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorApp\_expxx  
2x1s6rv4\\LocalState\\OspreyDocuments\\0f5ace78-e45b-4f8b-bd3c-  
23503f6ff2ab\\footer.doc"}

**Defendant 1 - Enclosing requested**

# Documents

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorApp\_expxx  
2x1s6rv4\\LocalState\\OspreyDocuments\\f52d1310-83ce-4ddd-9039-  
5fd3a89b5ba1\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_title } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_initials } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_surname }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_name }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_address }

Dear Sirs

**Your Client:** { IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "{  
MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

**Our Client:** { MERGEFIELD LINKNAME\_TITLE\_1 } { MERGEFIELD  
LINKNAME\_FORENAME\_1 } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }

As requested we enclose the following documents in accordance with the directions order.

1.

Kindly acknowledge safe receipt.

{ IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "Yours Sincerely" "  
Yours Faithfully" }

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorApp\_expxx  
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5fd3a89b5ba1\\footer.doc"}



# **Witness 1 – Prepare Witness**

# Statement

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1TITLE } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1INTS } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1TITLE } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}

- a) A witness who reads out their statement in a faltering fashion suggests that the words they are reading are unfamiliar. The court may conclude that the words they are hearing are not their own; or
- b) A witness contradicts their statement when they answer a question in cross-examination.

A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

### **Giving evidence at the hearing**

When you are called to give evidence, you will be asked to take the oath. This will involve either swearing on a holy book or, if you are not religious, affirming. Our representative will then ask you to take the court through your account of what happened. They will ask questions as required. These questions will also enable you to get comfortable with the process of answering questions before the court.

Once our representative has finished asking you questions, the other party's representative will have the opportunity to cross-examine you. Since this is the part of giving evidence that most often worries witnesses, I have set out some advice below about how to give evidence effectively when being cross-examined.

After you have been cross-examined, our representative will be permitted to ask you further questions about matters that have come up during your cross-examination.

### **How to give evidence effectively**

This is very simple: do what the oath requires of you. Tell the truth, the whole truth and nothing but the truth.

### **Dealing with possibilities**

You should only tell the court things you know for a fact. The cross-examiner may ask you to speculate about whether it is possible that a particular event occurred. Contrary to what is commonly assumed, you cannot refuse to answer a question merely because it is hypothetical. The issues commonly dealt with by courts often involve the consideration of hypothetical matters.

If you are asked whether something was possible, unless you tell the court how likely you think it was they will be left guessing. Therefore, if you think that there was a slight possibility of that something happening or having happened, rather than saying that it was possible you should let the court know how likely it was. For example, you could say that it was possible but would have been very unlikely.

### **When you can't remember something**

If you have no recollection of something you are asked about, don't be tempted to tell the court what you assume must have happened as if you know it for a matter of fact. You should say that you do not recall the particular matter in issue but think it likely that a particular scenario would have happened and explain why you think that to be the case. Be honest or the cross-examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

### **Being asked for a yes or no answer**

The most popular line of attack for a cross-examiner is the closed question. You will become familiar with the phrase "it's a yes or no answer". You probably won't agree.

The temptation when faced with an unreasonably restrictive question is to not answer it and instead to answer the question you think you should have been asked. However, this will make you appear evasive and unhelpful and will not endear you to the court. It is better to either answer yes or no, but to state that is not a complete answer and there are other things the court should know in order to be able to understand it. Then, the court will either let you expand your answer immediately or you will at least have brought your representative's attention to this issue as being one that you should be taken back to in re-examination.

### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Witness 2 – Prepare Witness**

# Statement

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2TITLE } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2INTS } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2TITLE } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { IF { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } <> "" "{  
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MERGEFIELD "FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME" } {  
MERGEFIELD "FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

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Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

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- b) A witness contradicts their statement when they answer a question in cross-examination.

A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

### **Giving evidence at the hearing**

When you are called to give evidence, you will be asked to take the oath. This will involve either swearing on a holy book or, if you are not religious, affirming. Our representative will then ask you to take the court through your account of what happened. They will ask questions as required. These questions will also enable you to get comfortable with the process of answering questions before the court.

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After you have been cross-examined, our representative will be permitted to ask you further questions about matters that have come up during your cross-examination.

### **How to give evidence effectively**

This is very simple: do what the oath requires of you. Tell the truth, the whole truth and nothing but the truth.

### **Dealing with possibilities**

You should only tell the court things you know for a fact. The cross-examiner may ask you to speculate about whether it is possible that a particular event occurred. Contrary to what is commonly assumed, you cannot refuse to answer a question merely because it is hypothetical. The issues commonly dealt with by courts often involve the consideration of hypothetical matters.

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### **When you can't remember something**

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examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

### **Being asked for a yes or no answer**

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### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Witness 3 – Prepare Witness**

# Statement

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3TITLE } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3INTS } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3TITLE } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

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Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

- a) A witness who reads out their statement in a faltering fashion suggests that the words they are reading are unfamiliar. The court may conclude that the words they are hearing are not their own; or
- b) A witness contradicts their statement when they answer a question in cross-examination.

A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

### **Giving evidence at the hearing**

When you are called to give evidence, you will be asked to take the oath. This will involve either swearing on a holy book or, if you are not religious, affirming. Our representative will then ask you to take the court through your account of what happened. They will ask questions as required. These questions will also enable you to get comfortable with the process of answering questions before the court.

Once our representative has finished asking you questions, the other party's representative will have the opportunity to cross-examine you. Since this is the part of giving evidence that most often worries witnesses, I have set out some advice below about how to give evidence effectively when being cross-examined.

After you have been cross-examined, our representative will be permitted to ask you further questions about matters that have come up during your cross-examination.

### **How to give evidence effectively**

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### **Dealing with possibilities**

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### **When you can't remember something**

If you have no recollection of something you are asked about, don't be tempted to tell the court what you assume must have happened as if you know it for a matter of fact. You should say that you do not recall the particular matter in issue but think it likely that a particular scenario would have happened and explain why you think that to be the case. Be honest or the cross-

examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

### **Being asked for a yes or no answer**

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### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Witness 4 – Prepare Witness**



# Statement

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\349b5862-1f64-4263-9746-  
ee637f74217e\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4TITLE } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4INTS } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4TITLE } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\349b5862-1f64-4263-9746-  
ee637f74217e\\footer.doc"}

Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

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- b) A witness contradicts their statement when they answer a question in cross-examination.

A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

### **Giving evidence at the hearing**

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### **Dealing with possibilities**

You should only tell the court things you know for a fact. The cross-examiner may ask you to speculate about whether it is possible that a particular event occurred. Contrary to what is commonly assumed, you cannot refuse to answer a question merely because it is hypothetical. The issues commonly dealt with by courts often involve the consideration of hypothetical matters.

If you are asked whether something was possible, unless you tell the court how likely you think it was they will be left guessing. Therefore, if you think that there was a slight possibility of that something happening or having happened, rather than saying that it was possible you should let the court know how likely it was. For example, you could say that it was possible but would have been very unlikely.

### **When you can't remember something**

If you have no recollection of something you are asked about, don't be tempted to tell the court what you assume must have happened as if you know it for a matter of fact. You should say that you do not recall the particular matter in issue but think it likely that a particular scenario would have happened and explain why you think that to be the case. Be honest or the cross-

examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

### **Being asked for a yes or no answer**

The most popular line of attack for a cross-examiner is the closed question. You will become familiar with the phrase "it's a yes or no answer". You probably won't agree.

The temptation when faced with an unreasonably restrictive question is to not answer it and instead to answer the question you think you should have been asked. However, this will make you appear evasive and unhelpful and will not endear you to the court. It is better to either answer yes or no, but to state that is not a complete answer and there are other things the court should know in order to be able to understand it. Then, the court will either let you expand your answer immediately or you will at least have brought your representative's attention to this issue as being one that you should be taken back to in re-examination.

### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Witness 5 – Prepare Witness**

# Statement

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5TITLE } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5INTS } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5TITLE } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}

Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

- a) A witness who reads out their statement in a faltering fashion suggests that the words they are reading are unfamiliar. The court may conclude that the words they are hearing are not their own; or
- b) A witness contradicts their statement when they answer a question in cross-examination.

A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

### **Giving evidence at the hearing**

When you are called to give evidence, you will be asked to take the oath. This will involve either swearing on a holy book or, if you are not religious, affirming. Our representative will then ask you to take the court through your account of what happened. They will ask questions as required. These questions will also enable you to get comfortable with the process of answering questions before the court.

Once our representative has finished asking you questions, the other party's representative will have the opportunity to cross-examine you. Since this is the part of giving evidence that most often worries witnesses, I have set out some advice below about how to give evidence effectively when being cross-examined.

After you have been cross-examined, our representative will be permitted to ask you further questions about matters that have come up during your cross-examination.

### **How to give evidence effectively**

This is very simple: do what the oath requires of you. Tell the truth, the whole truth and nothing but the truth.

### **Dealing with possibilities**

You should only tell the court things you know for a fact. The cross-examiner may ask you to speculate about whether it is possible that a particular event occurred. Contrary to what is commonly assumed, you cannot refuse to answer a question merely because it is hypothetical. The issues commonly dealt with by courts often involve the consideration of hypothetical matters.

If you are asked whether something was possible, unless you tell the court how likely you think it was they will be left guessing. Therefore, if you think that there was a slight possibility of that something happening or having happened, rather than saying that it was possible you should let the court know how likely it was. For example, you could say that it was possible but would have been very unlikely.

### **When you can't remember something**

If you have no recollection of something you are asked about, don't be tempted to tell the court what you assume must have happened as if you know it for a matter of fact. You should say that you do not recall the particular matter in issue but think it likely that a particular scenario would have happened and explain why you think that to be the case. Be honest or the cross-



examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

### **Being asked for a yes or no answer**

The most popular line of attack for a cross-examiner is the closed question. You will become familiar with the phrase "it's a yes or no answer". You probably won't agree.

The temptation when faced with an unreasonably restrictive question is to not answer it and instead to answer the question you think you should have been asked. However, this will make you appear evasive and unhelpful and will not endear you to the court. It is better to either answer yes or no, but to state that is not a complete answer and there are other things the court should know in order to be able to understand it. Then, the court will either let you expand your answer immediately or you will at least have brought your representative's attention to this issue as being one that you should be taken back to in re-examination.

### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Witness 6 – Prepare Witness**

# Statement

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\dbed59aa-b45f-4752-8472-  
1fd29dd7e815\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6TITLE } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6INTS } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6TITLE } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

I write further to our previous correspondence.

Thank you for agreeing to give evidence in the claim being brought by { MERGEFIELD  
"LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }. I understand  
that you are able to give evidence about [DETAILS OF INFORMATION OR EVENTS TO BE  
COVERED BY WITNESS STATEMENT].

I thought it would be useful if, at this stage, I set out the steps that will be taken to prepare  
your witness statement. I have also included some general advice on how to prepare to give  
your evidence and how to deal with cross-examination by the other side's representative.

### **Your witness statement**

Early preparation of your statement will ensure that:

- a) Your recollection is set down on paper while matters are as fresh in your mind and before they are subject to challenge;
- b) You have a proper opportunity to think about the matters and/or events you are dealing with and your evidence is presented in a clear and logical fashion;
- c) You have the chance to thoroughly consider any documents referred to in your statement;
- d) The words used in the statement are your own, you are comfortable with what you have said, and you are not committed to say anything that you do not really mean; and
- e) We can identify any areas of difficulty or concern at an early stage so that you can be properly prepared to deal with them at the hearing.

### **Preparing for the hearing**

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\dbed59aa-b45f-4752-8472-  
1fd29dd7e815\\footer.doc"}

Once your statement has been finalised, in preparation for giving evidence at the hearing you should practise reading your statement slowly out loud a number of times. Doing this should avoid two situations that commonly make witnesses look foolish and damage their credibility:

- a) A witness who reads out their statement in a faltering fashion suggests that the words they are reading are unfamiliar. The court may conclude that the words they are hearing are not their own; or
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A witness who remains calm and sticks to their evidence is difficult for even a skilled cross-examiner to undermine.

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After you have been cross-examined, our representative will be permitted to ask you further questions about matters that have come up during your cross-examination.

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### **Dealing with possibilities**

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### **When you can't remember something**

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particular scenario would have happened and explain why you think that to be the case. Be honest or the cross-examiner will force you to admit you can't remember and you will look foolish for not having been honest in the first place.

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### **Answer the question and avoid repetition**

You should keep your answers to the questions that you are asked. You can undermine your credibility and the strength of your evidence if you take each question as an opportunity to repeat the same thing.

### **Dealing with the cross-examiner**

Do not be tempted to argue with the cross-examiner. You will come across as being deliberately difficult and evasive, which courts hate. It is far better to stay calm and focus on dealing with the questions put to you.

If there are any matters of particular concern to you about either the evidence you are to give or that may be put to you in cross-examination you should let me know now.

So that we can start on the preparation of your statement I would be grateful if you could contact me to arrange a mutually convenient time for us to discuss.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

# **Draft Witness 1 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }

**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS1\_FWWIT1TITLE" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS1\_FWWIT1FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS1\_FWWIT1SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS1\_FWWIT1FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS1\_FWWIT1SURNAME" \\*upper } of { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1ADDRESS \\*upper } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 1 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 2 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 3 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.



4 Attached to this witness statement is a paginated bundle of exhibits known as [*insert exhibit reference*] to which I will make reference.

5 [*Set out the witness evidence in this and the following paragraphs*]

6 [*insert text*]

7 [*insert text*]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" }" }  
Defendant

\_\_\_\_\_  
FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS1\_FWWIT1FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS1\_FWWIT1SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT  
\_\_\_\_\_

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }

**Witness 1 – enclose Draft**

# Statement

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Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\92836788-baf7-4597-b2ff-  
fca8077a977c\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1TITLE } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1INTS } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS1\_FWWIT1TITLE } { MERGEFIELD  
FW\_CN\_WITNESS1\_FWWIT1SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\92836788-baf7-4597-b2ff-  
fca8077a977c\\footer.doc"}

# **Draft Witness 2 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }  
**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS2\_FWWIT2TITLE" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS2\_FWWIT2FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS2\_FWWIT2SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS2\_FWWIT2FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS2\_FWWIT2SURNAME" \\*upper } of { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2ADDRESS \\*upper } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 2 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 3 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 4 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 5 Attached to this witness statement is a paginated bundle of exhibits known as [insert exhibit reference] to which I will make reference.

6 [Set out the witness evidence in this and the following paragraphs]

7 [insert text]

8 [insert text]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" } "  
Defendant

\_\_\_\_\_  
FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS2\_FWWIT2FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS2\_FWWIT2SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT

\_\_\_\_\_  
{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }



**Witness 2 – enclose Draft**

# Statement

{INCLUDETEXT

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73b8b396a2fe\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2TITLE } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2INTS } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS2\_FWWIT2TITLE } { MERGEFIELD  
FW\_CN\_WITNESS2\_FWWIT2SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT

"C:\\Users\\benk\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorA  
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73b8b396a2fe\\footer.doc"}

# **Draft Witness 3 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }  
**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS3\_FWWIT3TITLE" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS3\_FWWIT3FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS3\_FWWIT3SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS3\_FWWIT3FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS3\_FWWIT3SURNAME" \\*upper } of { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3ADDRESS \\*upper } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 2 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 3 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 4 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 5 Attached to this witness statement is a paginated bundle of exhibits known as [insert exhibit reference] to which I will make reference.

6 [Set out the witness evidence in this and the following paragraphs]

7 [insert text]

8 [insert text]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" } "  
Defendant

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS3\_FWWIT3FORENAME" \\*upper } { MERGEFIELD  
"FW\_CN\_WITNESS3\_FWWIT3SURNAME" \\*upper }

ON BEHALF OF THE CLAIMANT

---

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }

**Witness 3 – enclose Draft**



# Statement

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0de59a51a3b5\\header.doc"

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3TITLE } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3INTS } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS3\_FWWIT3TITLE } { MERGEFIELD  
FW\_CN\_WITNESS3\_FWWIT3SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT

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pp\_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\78f71179-12df-4629-b391-  
0de59a51a3b5\\footer.doc"

# **Draft Witness 4 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }  
**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS4\_FWWIT4TITLE" \\*UPPER} { MERGEFIELD  
"FW\_CN\_WITNESS4\_FWWIT4FORENAME" \\*UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS4\_FWWIT4SURNAME" \\*UPPER }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS4\_FWWIT4FORENAME" \\*UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS4\_FWWIT4SURNAME" \\*UPPER } of { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4ADDRESS } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 2 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 3 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 4 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 5 Attached to this witness statement is a paginated bundle of exhibits known as [insert exhibit reference] to which I will make reference.

6 [Set out the witness evidence in this and the following paragraphs]

7 [insert text]

8 [insert text]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" } "  
Defendant

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS4\_FWWIT4FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS4\_FWWIT4SURNAME" \\* UPPER }

ON BEHALF OF THE CLAIMANT

---

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }

**Witness 4 – enclose Draft**

# Statement



{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\6a383510-ef87-4083-ac28-  
4038fc970cd7\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4TITLE } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4INTS } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS4\_FWWIT4TITLE } { MERGEFIELD  
FW\_CN\_WITNESS4\_FWWIT4SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\6a383510-ef87-4083-ac28-  
4038fc970cd7\\footer.doc"}

# **Draft Witness 5 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }  
**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS5\_FWWIT5TITLE" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS5\_FWWIT5FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS5\_FWWIT5SURNAME" \\* UPPER }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS5\_FWWIT5FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS5\_FWWIT5SURNAME" \\* UPPER } of { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5ADDRESS \\* UPPER } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 2 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 3 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 4 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 5 Attached to this witness statement is a paginated bundle of exhibits known as [insert exhibit reference] to which I will make reference.

6 [Set out the witness evidence in this and the following paragraphs]

7 [insert text]

8 [insert text]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" } " }  
Defendant

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS5\_FWWIT5FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS5\_FWWIT5SURNAME" \\* UPPER }

ON BEHALF OF THE CLAIMANT

---

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }

**Witness 5 – enclose Draft**

# Statement

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Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\85da33d9-05fa-429b-af7c-  
555c6760bf2d\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5TITLE } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5INTS } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS5\_FWWIT5TITLE } { MERGEFIELD  
FW\_CN\_WITNESS5\_FWWIT5SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\85da33d9-05fa-429b-af7c-  
555c6760bf2d\\footer.doc"}



# **Draft Witness 6 Statement**

Filed on behalf of the Claimant

Number of witness statement: First

Date: [insert date]

Exhibits: [insert number] to [insert number]

**Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }**

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* Upper}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
**Claimant**

and

{ 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" }" }  
**Defendant**

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS6\_FWWIT6TITLE" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS6\_FWWIT6FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS6\_FWWIT6SURNAME" \\* UPPER }

ON BEHALF OF THE CLAIMANT

---

I { MERGEFIELD "FW\_CN\_WITNESS6\_FWWIT6FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS6\_FWWIT6SURNAME" \\* UPPER } of { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6ADDRESS \\* UPPER } WILL SAY AS FOLLOWS:

- 1 I have been asked by the claimant to provide a witness statement in this matter in relation to [state briefly the aspect of the subject matter on which the witness is giving evidence and if necessary explain their relationship to the claimant].
- 2 The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 3 This witness statement was prepared on my behalf by { MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" } { MERGEFIELD "CALCULATION\_STATUS\_DESCRIPTION" } following discussions [in person OR over the telephone OR [insert other form of communication]].
- 4 Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 5 Attached to this witness statement is a paginated bundle of exhibits known as [insert exhibit reference] to which I will make reference.

6 [Set out the witness evidence in this and the following paragraphs]

7 [insert text]

8 [insert text]

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:.....

Print name:.....

Date:.....

Claim No. { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER}

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

{ 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" } " }  
Defendant

---

FIRST WITNESS STATEMENT OF

{ MERGEFIELD "FW\_CN\_WITNESS6\_FWWIT6FORENAME" \\* UPPER } { MERGEFIELD  
"FW\_CN\_WITNESS6\_FWWIT6SURNAME" \\* UPPER }

ON BEHALF OF THE CLAIMANT

---

{ MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
{ MERGEFIELD "PRACTICEINFO\_HOUSE" \f "  
"} { MERGEFIELD "PRACTICEINFO\_AREA" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" \f "  
"} { MERGEFIELD "PRACTICEINFO\_COUNTY" \f "  
"} { MERGEFIELD "PRACTICEINFO\_POSTCODE" }

{ MERGEFIELD "MATTER\_FEE\_EARNER\_ID" } { MERGEFIELD "client\_no" } { MERGEFIELD  
"matter\_no" }

**Witness 6 – enclose Draft**

# Statement

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542b8139433e\\header.doc"

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6TITLE } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6INTS } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6SURNAME }  
{ MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6ADDRESS }

Dear { MERGEFIELD FW\_CN\_WITNESS6\_FWWIT6TITLE } { MERGEFIELD  
FW\_CN\_WITNESS6\_FWWIT6SURNAME }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

Please find enclosed a draft copy of your witness statement. I should be grateful if you would  
please read through it carefully and if approved, sign and date where indicated.

If, however, you wish to make any amendments to the statement please let me know as soon  
as possible so I can discuss these with you.

I look forward to hearing from you.

Yours Sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\*UPPER }

{INCLUDETEXT

"C:\\Users\\benk\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorA  
pp\_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\043e36b7-e9ab-4a79-ab6d-  
542b8139433e\\footer.doc"

# **Brief to Counsel**



IN THE  
{ MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_COURT\_name  
\\*UPPER }

Claim No. { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

B E T W E E N : -

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }  
Claimant

- and -

{ 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" }" }

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

FW\_CN\_COURT\_FW\_CN\_COURT\_name\\*UPPER }

CLAIM NUMBER: { MERGEFIELD

FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

BETWEEN:

{ MERGEFIELD "LINKNAME\_FORENAME\_1" } {  
MERGEFIELD "LINKNAME\_SURNAME\_1" }

Claimant

- and -

{ 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" }" }

Defendant

---

*BRIEF TO COUNSEL TO*  
REPRESENT THE CLAIMANT

---

Clerk to { MERGEFIELD  
"FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_title" } {  
MERGEFIELD  
"FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_forename" }  
{ MERGEFIELD  
"FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_surname" }

```
{ MERGEFIELD  
"FW_CN_COUNSEL_FW_CN_COUN_CON_address" }
```

# **Letter to Counsel Enclosing Brief**

**and Bundle**

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\8ddafa51-1069-4466-b08a-  
9230fed83f26\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_title } { MERGEFIELD  
FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_initials } { MERGEFIELD  
FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_surname }  
{ MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_ORG\_name }  
{ MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_ORG\_address }

Dear { IF { MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_surname } = "" "Sirs"  
"{ MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_title } { MERGEFIELD  
FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_surname }" }

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
**Claim No:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

We have now received Notice that the above case has been listed for Trial on { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_HEAR\_D \@ "d"\*ordinal} { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_HEAR\_D \@ "MMMM yyyy"} at { MERGEFIELD  
FW\_CN\_COURT\_FW\_CN\_CT\_HEAR\_T }.

We enclose Brief to Counsel to represent the Claimant.

Kindly acknowledge safe receipt.

Yours { IF { MERGEFIELD FW\_CN\_COUNSEL\_FW\_CN\_COUN\_CON\_surname } = ""  
"Faithfully" "Sincerely" }

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\*UPPER }

{INCLUDETEXT "C:\\Users\\Ben  
Kellett\\AppData\\Local\\Temp\\OspreyDocuments\\8ddafa51-1069-4466-b08a-  
9230fed83f26\\footer.doc"}

# **Defendant Sol Exch Statement(s)**

# **BoD and Causation**



{INCLUDETEXT

"C:\\Users\\benk\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisor  
App\_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\8146c959-8532-41b2-bbc1-  
d933122280e4\\header.doc"

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

Your Ref: { MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_RF }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_title } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_initials } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_surname }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_name }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_address }

Dear Sirs

**Your Client:** { IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" "{  
MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

**Our Client:** { MERGEFIELD LINKNAME\_TITLE\_1 } { MERGEFIELD  
LINKNAME\_FORENAME\_1 } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }

Please find enclosed statements relating to Breach of Duty and Causation in accordance with  
the Directions Order Dated { ASK dopdate "Enter the date of the Directions Order."}{ REF  
dopdate \@ "d MMMM yyyy" \\* MERGEFORMAT }. We should be grateful if you would kindly  
confirm safe receipt.

We look forward to receiving your statements in exchange. OR We confirm we have received  
your statements in exchange.

Yours Faithfully

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT

"C:\\Users\\benk\\AppData\\Local\\Packages\\PraccticeLimited.OspreyApproachSupervisorA  
pp\_expxx2x1s6rv4\\LocalState\\OspreyDocuments\\8146c959-8532-41b2-bbc1-  
d933122280e4\\footer.doc"



# **Defendant Sol Exch Statement(s)**

# **Cond, Prog and Loss**

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

Your Ref: { MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_RF }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_title } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_initials } { MERGEFIELD  
FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_CT\_surname }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_name }  
{ MERGEFIELD FW\_CN\_D\_SOL\_INS\_FW\_CN\_D1\_SOL\_OR\_address }

Dear Sirs

**Your Client:** { IF { MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name } = "" {  
MERGEFIELD FW\_CN\_DEF1\_FW\_CN\_D1\_TITLE } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_FNAME } { MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_SNAME }" "{ MERGEFIELD  
FW\_CN\_DEF1\_FW\_CN\_D1\_TRUST\_name }" }

**Our Client:** { MERGEFIELD LINKNAME\_TITLE\_1 } { MERGEFIELD  
LINKNAME\_FORENAME\_1 } { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_MNAME } { MERGEFIELD  
LINKNAME\_SURNAME\_1 }

Please find enclosed statements relating to Condition, Prognosis and Loss in accordance with the Directions Order Dated { ASK dopdate "Enter the date of the Directions Order." } { REF dopdate \@ "d MMMM yyyy" \\* MERGEFORMAT }. We should be grateful if you would kindly confirm safe receipt.

We look forward to receiving your statements in exchange. OR We confirm we have received your statements in exchange.

Yours Faithfully

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\footer.doc"}

# **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

Name of court { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name }	
Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
Last date for filing with court office	{ MERGEFIELD FW_CN_CT_PRO_D1_FW_CN_D1_PTC_D }
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: If no costs management order has been made. You must attach estimates of costs incurred to date, and of your likely overall costs. In substantial cases, these should be provided in compliance with CPR.

For multi-track claims only, you must also 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. { FORMCHECKBOX }  
 Yes { FORMCHECKBOX } No

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. { FORMCHECKBOX }  
 Yes { FORMCHECKBOX } No

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 orders 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)*

{  
FORMTE  
XT }

Continued over ↓



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
{ MERGEFIELD "FW_CN_WITNESS1_FWWIT1FORENAME" } { MERGEFIELD "FW_CN_WITNESS1_FWWIT1SURNAME" }	{ FORMTEXT }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS2_FWWIT2FORENAME" } { MERGEFIELD "FW_CN_WITNESS2_FWWIT2SURNAME" }	{ FORMTEXT }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS3_FWWIT3FORENAME" } { MERGEFIELD "FW_CN_WITNESS3_FWWIT3SURNAME" }	{ FORMTEXT }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS4_FWWIT4FORENAME" } { MERGEFIELD "FW_CN_WITNESS4_FWWIT4SURNAME" }	{ FORMTEXT }	{ FORMTEXT }

Please specify any special facilities or arrangements needed at 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? { FORMCHECKBOX }  
 Yes { FORMCHECKBOX } No

## C Experts

You are reminded that you may not use an expert's report 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?	Is report agreed?	Has permission been given for oral evidence?
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME1_CON_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME1_SPEC }	{ FORMCHECKBOX } Yes { FORMCHECKBOX }	{ FORMCHECKBOX } Yes { FORMCHECKBOX }	{ FORMCHECKBOX } Yes { FORMCHECKBOX } No

		MCH ECK BOX } No	MCH ECK BOX } No	
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CO N_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CO N_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME2_CO N_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_M E2_SPEC }	{ FOR MCH ECK BOX } Yes { FOR MCH ECK BOX } No	{ FOR MCH ECK BOX } Yes { FOR MCH ECK BOX } No	{ FORM CHECK BOX } Yes { FORM CHECK BOX } No
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CO N_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CO N_forename" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME3_CO N_surname" }	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_M E3_SPEC }	{ FOR MCH ECK BOX } Yes { FOR MCH ECK BOX } No	{ FOR MCH ECK BOX } Yes { FOR MCH ECK BOX } No	{ FORM CHECK BOX } Yes { FORM CHECK BOX } No

- 2 Has there been discussion between experts? { FORMCHECKBOX }  
. Yes { FORMCHECKBOX } No
- 3 Have the experts signed a joint statement? { FORMCHECKBOX }  
. Yes { FORMCHECKBOX } No
- 4 If your expert is giving oral evidence and the trial date is not { FORMCHECKBOX }  
. Yes { FORMCHECKBOX } No  
yet fixed, is there any day within the trial period which the expert  
would wish to avoid, if possible?

If Yes, please give details

Name	Dates to be avoided, if possible	Reason
{ IF { MERGEFIELD FW_CN_MED_EXP_FW _CN_ME1_CON_surnam e } = "" { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME1_ORG_name " } } { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME1_CON_foren ame" } { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME1_CON_surna me" } }	{ FORMTEXT }	{ FORMTEXT }

<pre>{ IF { MERGEFIELD FW_CN_MED_EXP_FW _CN_ME2_CON_surnam e }= "" "{ MERGEFIELD FW_CN_MED_EXP_FW _CN_ME2_ORG_name }" "{ MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME2_CON_foren ame" } { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME2_CON_surna me" }" }</pre>	<pre>{ FORMTEXT }</pre>	<pre>{ FORMTEXT }</pre>
<pre>{ IF { MERGEFIELD FW_CN_MED_EXP_FW _CN_ME3_CON_surnam e }= "" "{ MERGEFIELD FW_CN_MED_EXP_FW _CN_ME3_ORG_name }" "{ MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME3_CON_foren ame" } { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME3_CON_surna me" }" }</pre>	<pre>{ FORMTEXT }</pre>	<pre>{ FORMTEXT }</pre>
<pre>{ IF { MERGEFIELD FW_CN_MED_EXP_FW _CN_ME4_CON_surnam e }= "" "{ MERGEFIELD FW_CN_MED_EXP_FW _CN_ME4_ORG_name }" "{ MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME4_CON_foren ame" } { MERGEFIELD "FW_CN_MED_EXP_F W_CN_ME4_CON_surna me" }" }</pre>	<pre>{ FORMTEXT }</pre>	<pre>{ FORMTEXT }</pre>

## D Legal representation

1. Who will be presenting 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  
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No  
period that the person presenting your case would wish to avoid,  
if possible?

If Yes, please give details

Name	Dates to be avoided, if possible	Reason
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

## E The trial

1. Has the estimate of the time needed for trial changed?  
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No  
  
If Yes, say how long you estimate the whole trial { FORMTEXT } days {  
will take, FORMTEXT } hours {  
including both parties' cross-examination and FORMTEXT } minutes  
closing arguments
2. If different from original estimate have you agreed with the other  
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No  
party(ies) that this is now the total time needed?
3. Is the timetable for trial you have attached agreed with the  
{ FORMCHECKBOX } Yes { FORMCHECKBOX } No  
other party(ies)?

### Fast track cases only

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

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

## 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 or quote your Fee Account no. { FORMTEXT }

---

Signature

Your name and full postal address

{ MERGEFIELD "CALCULATION\_FEE\_EARNER\_DESCRIPTION" }  
 { MERGEFIELD "PRACTICEINFO\_PRACTICE\_NAME" }  
 { MERGEFIELD "PRACTICEINFO\_HOUSE" } {  
 MERGEFIELD "PRACTICEINFO\_AREA" } {  
 MERGEFIELD "PRACTICEINFO\_POSTAL\_TOWN" } {  
 MERGEFIELD "PRACTICEINFO\_COUNTY" }

Date  
 { FORMTEXT } / { FORMTEXT } / { FORMTEXT }  
 { FORMTEXT } / { FORMTEXT } / { FORMTEXT }  
 { FORMTEXT } / { FORMTEXT } / { FORMTEXT }

Postcode { MERGEFIELD PRACTICEINFO\_POSTCODE }

If applicable	
Telephone no.	{ MERGEFIELD PRACTICEINFO_PHONE_NO }
Fax no.	{ MERGEFIELD PRACTICEINFO_FAX_NO }
DX no.	{ MERGEFIELD PRACTICEINFO_DX_NO }
Your ref.	{ MERGEFIELD "MATTER_FEE_EARNER_ID" } { MERGEFIELD "client_no" } { MERGEFIELD "matter_no" }

Email { MERGEFIELD CALCULATION\_FEE\_EARNER\_EMAIL }



# Continuation

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

Name of court { MERGEFIELD FW_CN_COURT_FW_CN_COURT_name }	
Claim No.	{ MERGEFIELD FW_CN_COURT_FW_CN_CT_CL_NO }
Last date for filing with court office	{ MERGEFIELD FW_CN_CT_PRO_D1_FW_CN_D1_PTC_D }
Date(s) fixed for trial or trial period	{ FORMTEXT }

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
{ MERGEFIELD "FW_CN_WITNESS5_FWWIT5FORENAME" } { MERGEFIELD "FW_CN_WITNESS5_FWWIT5SURNAME" }	{ FORMTEXT }	{ FORMTEXT }
{ MERGEFIELD "FW_CN_WITNESS6_FWWIT6FORENAME" } { MERGEFIELD "FW_CN_WITNESS6_FWWIT6SURNAME" }	{ FORMTEXT }	{ FORMTEXT }

## C Experts

*You are reminded that you may not use an expert's report 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?	Is report agreed?	Has permission been given for oral evidence?
{ MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME4_CON_title" } { MERGEFIELD "FW_CN_MED_EXP_FW_CN_ME4_CON_forename" } { MERGEFIELD	{ MERGEFIELD FW_CN_MED_EXP_FW_CN_ME4_SPEC }	{ FOR MCH ECK BOX } Yes	{ FOR MCH ECK BOX } Yes	{ FORM CHECK BOX } Yes { FORM

"FW_CN_MED_EXP_FW_CN_ME4_CO N_surname" }		{ FOR MCH ECK BOX } No	{ FOR MCH ECK BOX } No	CHECK BOX } No
---	--	--	--	----------------------



# **Form N244 Application notice**



Is this time estimate agreed by all parties?

{ FORMCHECKBOX } No  
FORMCHECKBO  
X } 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 }

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

{ 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 understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

{ FORMCHECKBOX } I believe that the facts stated in section 10 (and any continuation sheets) are true.

{ FORMCHECKBOX } The Applicant believes that the facts stated in section 10 (and any continuation sheets) are true. I am authorised by the applicant to sign this statement.

## Signature

--

{ FORMCHECKBOX } Applicant

{ FORMCHECKBOX } Litigation friend (where applicant is a Child or Protected Party)

{ FORMCHECKBOX } Applicant's legal representative (as defined by CPR 2.3(1))

## Date

Day	Month	Year
{ FORMTEXT }	{ FORMTEXT }	{ FORMTEXT }

Full name

{ FORMTEXT }
--------------

Name of applicant's legal representative's firm

{ FORMTEXT }
--------------

If signing on behalf of firm or company give position or office held

{ FORMTEXT }
--------------

Applicant's address to which documents should be sent.

Building and street

{ FORMTEXT }

Second line of address

{ FORMTEXT }

Town or city

{ FORMTEXT }

County (optional)

{ FORMTEXT }

Postcode

{ FORMTEXT }

If applicable

Phone number

{ FORMTEXT }

Fax phone number

{ FORMTEXT }

DX number

{ FORMTEXT }

Your Ref.

{ FORMTEXT }

Email

{ FORMTEXT }

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# **Proposed Timetable for Trial**

**Claim No.** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }.

IN THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }

BETWEEN:

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } **Claimant**

and

{ 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" }" } **Defendant**

---

PROPOSED TIMETABLE FOR TRIAL

---

Day	Date	Event
1	[date of first day of trial]	Before lunch - After lunch -
2	[trial + 1]	Before lunch - After lunch -
3	[trial + 2]	Before lunch - After lunch -
4	[date + 3]	Before lunch - After lunch -



**Letter to Court enc Pre Trial**

# Checklist

{INCLUDETEXT "C:\\Users\\adamb\\AppData\\Local\\OspreyDocuments\\header.doc"}

Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy" } }

{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_address }

Dear Sirs

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }  
**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
**Claim No:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }

Please find enclosed Pre-Trial Checklist in the above matter.

Yours Faithfully

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

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# **Bundle Index**

**Claim No.** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }.

IN THE COUNTY COURT AT { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name \\* UPPER }

BETWEEN:

{ MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD LINKNAME\_SURNAME\_1 }

**Claimant**

and

{ 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" }" }

**Defendant**

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INDEX TO TRIAL BUNDLE

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<b>Description of Document</b>	<b>Page number</b>
Claim Form	[ ]
Particulars of Claim (including medical report)	[ ]
Defence	[ ]
Order for directions dated [ ]	[ ]
Agreed Case Summary	[ ]
Witness statement of the Claimant	[ ]
Exhibit to the witness statement of the Claimant	[ ]
Witness statement of [ ]	[ ]
Exhibit to the witness statement of [ ]	[ ]
Witness statement of the Defendant	[ ]
Witness statement of [ ]	[ ]
Exhibit to the witness statement of [ ]	[ ]

# **Court – File Bundle**

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Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
{ MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_address }

Dear Sirs

**Re:** { MERGEFIELD LINKNAME\_FORENAME\_1 } { MERGEFIELD  
LINKNAME\_SURNAME\_1 } v { 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" }" }

**Court:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_COURT\_name }  
**Claim No:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_CL\_NO }  
**Hearing Date:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_HEAR\_D }  
**Hearing Time:** { MERGEFIELD FW\_CN\_COURT\_FW\_CN\_CT\_HEAR\_T }

Please find attached trial bundle for filing in the above claim.

Yours Faithfully

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME\\*UPPER }

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**Client - Send Court Order**



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Our Ref: { MERGEFIELD MATTER\_FEE\_EARNER\_ID }/{ MERGEFIELD client\_no }/{  
MERGEFIELD matter\_no }

{ QUOTE { DATE \@ "d MMMM yyyy"} }

{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_INITIA" } { MERGEFIELD  
"FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME" }" "{ MERGEFIELD "LINKNAME\_TITLE\_1" } {  
MERGEFIELD "LINKNAME\_INITIALS\_1" } { MERGEFIELD "LINKNAME\_SURNAME\_1" }" }  
{ IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_ADD }" "{ MERGEFIELD CALCULATION\_ADDRESS }" }

Dear { IF { MERGEFIELD FW\_CN\_CLI\_INFO\_FW\_CN\_CLI\_LIT } = "Yes" "{ MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_TITLE" } { MERGEFIELD  
FW\_CN\_CLI\_INFO\_FW\_CN\_LF\_SNAME }" "{ IF { MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL } = "" "{ MERGEFIELD LINKNAME\_TITLE\_1" } {  
MERGEFIELD LINKNAME\_SURNAME\_1" }" "{ MERGEFIELD  
CLI1\_ADD\_INFO\_FW\_CLI1\_SAL }" }" }

**Re: { MERGEFIELD MATTER MATTER\_DESCRIPTION }**

Further to the hearing in your matter, I have now received a copy of the sealed Order from the Court, which I enclose herewith for your records.

Yours sincerely

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }  
{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME}\*UPPER }

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# Precedent H

	A	B	C	D	E
1	Costs budget of [Claimant / Defendant] dated [ ]				
2	<b>In the:</b>	to be completed			
3	<b>Parties:</b>	to be completed			
4	<b>Claim number:</b>	to be completed			
5	<b>Work done / to be done</b>	<b>Incurred</b>		<b>Estimated</b>	
6		<b>Disbs (£)</b>	<b>Time costs (£)</b>	<b>Disbs (£)</b>	<b>Time costs (£)</b>
7	<b>Pre-action costs</b>	£0.00	£0.00		
8	<b>Issue /statements of case</b>	£0.00	£0.00	£0.00	£0.00
9	<b>CMC</b>	£0.00	£0.00	£0.00	£0.00
10	<b>Disclosure</b>	£0.00	£0.00	£0.00	£0.00
11	<b>Witness statements</b>	£0.00	£0.00	£0.00	£0.00
12	<b>Expert reports</b>	£0.00	£0.00	£0.00	£0.00
13	<b>PTR</b>			£0.00	£0.00
14	<b>Trial preparation</b>			£0.00	£0.00
15	<b>Trial</b>			£0.00	£0.00
16	<b>ADR / Settlement discussions</b>	£0.00	£0.00	£0.00	£0.00
17	<b>Contingent cost A: [explanation]</b>			£0.00	£0.00
18	<b>Contingent cost B: [explanation]</b>			£0.00	£0.00
19					
20					
21	<b>GRAND TOTAL (including both incurred costs and estimated costs)</b>	£0.00	£0.00	£0.00	£0.00
22	This estimate <u>excludes</u> VAT (if applicable), success fees and ATE insurance premiums (if applicable), costs of detailed assessment, costs of any appeals judgment and [complete as appropriate]				
23	<b>Approved budget</b>				
24	<b>Budget drafting</b>	<i>1% of approved budget or £1,000</i>			
25	<b>Budget process</b>	<i>2%</i>			
26	<b>Statement of Truth</b>		dated		
27	<i>This budget is a fair and accurate statement of incurred and estimated costs which it would be reasonable and proportionate for my litigation.</i>				
28	Signed				
29	Position				
30	version 23/09/2016				
31					