

ORDER In the Xxxxx County Court
District Judge Xxxxx

Case number:
XXxxxx

Parties	X	Claimant
	Y	Defendant

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

District Judge Xxxxx sitting at Xxxxx, considered the papers in the case and **ordered** that:

- 1) The Claim is allocated to the Multi-Track and is assigned to His Her Honour District Judge Xxxxx for case management.
- 2) At all stages the parties must consider settling this litigation by any means of Alternative Dispute Resolution (including Mediation); any party not engaging in any such means proposed by another must serve a witness statement giving reasons within 21 days of that proposal; such witness statement must not be shown to the trial judge until questions of costs arise.
- 3) Disclosure of documents will be dealt with as follows:
 - a) by 4pm on xxxx the 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.
- 4) Evidence of fact will be dealt with as follows:
 - a) by 4pm on xxxx all parties must serve on each other copies of the signed statements of themselves and of all witnesses on whom they intend to rely and all notices relating to evidence.
 - b) 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.

- c) Evidence of fact is limited to xx witnesses on behalf of each party.
 - d) Witness statements must not exceed xx pages of A4 in length.
- 5) Expert evidence is directed as follows.
- 6) The parties have permission to rely on the jointly instructed written evidence of an expert xxxx
- a) on the following issues: ~~or~~ The expert's report will be confined to the following issues:
 - i)
 - ii)
 - b) 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.
 - c) By xxxx the expert will report to the instructing parties.
 - d) By xxxx the parties may put written questions to the expert.
 - e) By xxxx the expert will reply to the questions.
 - f) A copy of this order must be served on the expert by the Claimant with the expert's instructions.
 - g) The expert may apply direct to the court for directions where necessary under Rule 35.14 Civil Procedure Rules.
 - h) 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.
 - i) 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.
- 7) 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 each other party.
 - b) by 4pm on xxxx a Defendant, in the event of challenge, must send an up to date counter-schedule of loss to the Claimant.
- 8) 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.
- 9) 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 may be conducted by telephone if the parties so agree 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 pre-trial review the Claimant must file and send to the other party or parties preferably agreed and by email:
 - i) draft directions
 - ii) a chronology
 - iii)a case summary.
- 10) The trial directions are as follows:
- a) 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 39A. The parties must endeavour to agree the contents of the bundle before it is filed. The bundle will include:
 - i) a case summary;
 - ii) a chronology.
 - iii)a trial timetable.
 - b) the parties must file with the court and exchange skeleton arguments at least 3 days before the trial by email.
- 11) Because this Order has been made without a hearing, the parties have the right to apply to have the order set aside, varied or stayed. A party making such an application must send or deliver the application to the court (together with any appropriate fee) to arrive within 7 days of service of this Order.