ORDER <<{dateFormat($nowUTC ,‘d MMMM yyyy’)} >>

**In the County Court at  
<<cs\_{writtenByJudge}>><<caseManagementLocation.venue\_name>><<else>> Online Civil Claims<<es\_>>  
  
<<judgeName>>**

Case number: << caseNumber>>



|  |  |  |
| --- | --- | --- |
| Parties | <<applicant1.partyName>> | Claimant |

<<cs\_{hasApplicant2=true}>>

|  |  |  |
| --- | --- | --- |
|  | <<applicant2.partyName>> | Claimant |

<<es\_>>

|  |  |  |
| --- | --- | --- |
|  | <<respondent1.partyName>> | Defendant |

<<cs\_{hasRespondent2=true}>>

|  |  |  |
| --- | --- | --- |
|  | <<respondent2.partyName>> | Defendant |

<<es\_>>

**Warning**

You must comply with the terms imposed upon you by this order otherwise your claim or the defence of it is liable to be struck out or some other sanction imposed. If you cannot comply, you are expected to make a formal application to the court before any deadline imposed upon you expires.

**Judge’s recital**

1. <<sdoFastTrackJudgesRecital.input>>

**Allocation**

1. This claim is allocated to Fast Track.

<<cs\_{hasAltDisputeResolution=true}>>

**Alternative Dispute Resolution**

1. At all stages, the parties must consider settling this litigation by any means of Alternative Dispute Resolution. This includes round table conferences, early neutral evaluation, mediation and arbitration. Any party not engaging in any such means proposed by another party must upload to the Digital Portal 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.

<<es\_>>

<<cs\_{hasVariationOfDirections=true}>>

**Variation of directions**

1. The parties may, by written agreement, extend time for compliance with a direction where that is permitted by CPR 3.8(4). Otherwise, the time for compliance with a direction may only be extended by making an application.

<<es\_>>

<<cs\_{hasSettlement=true}>>

**Settlement**

1. Each party must inform the Court immediately if the claim is settled whether or not it is then possible to upload to the Digital Portal a draft consent order to give effect to their agreement.

<<es\_>>

<<cs\_{hasDisclosureOfDocuments=true}>>

**Disclosure of documents**

**Standard disclosure**

1. <<sdoR2DisclosureOfDocuments.standardDisclosureTxt>> <<{dateFormat(sdoR2DisclosureOfDocuments.standardDisclosureDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>.

**Inspection**

1. <<sdoR2DisclosureOfDocuments.inspectionTxt>> <<{dateFormat(sdoR2DisclosureOfDocuments.inspectionDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>. Requests will be complied with <<requestsWillBeCompiledLabel>>

<<es\_>>

<<cs\_{hasWitnessOfFact=true}>>

**Witnesses of fact**

**Statements of witnesses**

1. <<sdoR2WitnessesOfFact.sdoStatementOfWitness>>

<<cs\_{hasRestrictWitness=true}>>

**Restrict number of witnesses**

1. Number of witnesses (Claimant): <<sdoR2WitnessesOfFact.sdoR2RestrictWitness.restrictNoOfWitnessDetails.noOfWitnessClaimant>>
2. Number of witnesses (Defendant): <<sdoR2WitnessesOfFact.sdoR2RestrictWitness.restrictNoOfWitnessDetails.noOfWitnessDefendant>>
3. <<sdoR2WitnessesOfFact.sdoR2RestrictWitness.restrictNoOfWitnessDetails.partyIsCountedAsWitnessTxt>>

<<es\_>>

<<cs\_{hasRestrictPages=true }>>

**Restrict number of pages**

1. Each witness statement should be no more than: <<sdoR2WitnessesOfFact.sdoRestrictPages.restrictNoOfPagesDetails.witnessShouldNotMoreThanTxt>>
2. Number of pages: <<sdoR2WitnessesOfFact.sdoRestrictPages.restrictNoOfPagesDetails.noOfPages>>

<<sdoR2WitnessesOfFact.sdoRestrictPages.restrictNoOfPagesDetails.fontDetails>>

<<es\_>>

**Deadline**

1. <<sdoR2WitnessesOfFact.sdoWitnessDeadline>> <<{dateFormat(sdoR2WitnessesOfFact.sdoWitnessDeadlineDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>
2. <<sdoR2WitnessesOfFact.sdoWitnessDeadlineText>>

<<es\_>>

<<cs\_{hasExpertEvidence=true }>>

**Expert evidence**

**Claimant’s permission to reply**

1. <<sdoR2ExpertEvidence.sdoClaimantPermissionToRelyTxt>>

<<es\_>>

<<cs\_{hasAddendumReport=true}>>

**Addendum report**

**Addendum report upload**

1. <<sdoR2AddendumReport.sdoAddendumReportTxt>> <<{dateFormat(sdoR2AddendumReport.sdoAddendumReportDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

<<es\_>>

<<cs\_{hasFurtherAudiogram=true}>>

**Further audiogram**

**Claimant shall undergo a single further audiogram**

1. <<sdoR2FurtherAudiogram.sdoClaimantShallUndergoTxt>> <<{dateFormat(sdoR2FurtherAudiogram.sdoClaimantShallUndergoDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

**Service of report**

1. <<sdoR2FurtherAudiogram.sdoServiceReportTxt>> <<{dateFormat(sdoR2FurtherAudiogram.sdoServiceReportDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

<<es\_>>

<<cs\_{hasQuestionsOfClaimantExpert=true}>>

**Questions of the claimant’s expert**

**Defendant(s) may ask questions**

1. <<sdoR2QuestionsClaimantExpert.sdoDefendantMayAskTxt>> <<{dateFormat(sdoR2QuestionsClaimantExpert.sdoDefendantMayAskDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

**Questions shall be answered by**

1. <<sdoR2QuestionsClaimantExpert.sdoQuestionsShallBeAnsweredTxt>> <<{dateFormat(sdoR2QuestionsClaimantExpert.sdoQuestionsShallBeAnsweredDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

<<sdoR2QuestionsClaimantExpert.sdoUploadedToDigitalPortalTxt>>

**Require application to rely on further medical evidence.**

1. <<isApplicationToRelyOnFurther>>

<<cs\_{isApplicationToRelyOnFurther=’Yes’}>>

1. <<sdoR2QuestionsClaimantExpert.sdoApplicationToRelyOnFurther.applicationToRelyOnFurtherDetails.applicationToRelyDetailsTxt>>. <<{dateFormat(sdoR2QuestionsClaimantExpert.sdoApplicationToRelyOnFurther.applicationToRelyOnFurtherDetails.applicationToRelyDetailsDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

<<es\_>>

<<es\_>>

<<cs\_{hasPermissionFromENT=true}>>

**Permission for any Defendant to rely on expert evidence from a consultant ENT surgeon**

**Permission to rely on expert evidence**

1. <<sdoR2PermissionToRelyOnExpert.sdoPermissionToRelyOnExpertTxt>> <<{dateFormat(sdoR2PermissionToRelyOnExpert.sdoPermissionToRelyOnExpertDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

**Joint meeting of experts**

1. <<sdoR2PermissionToRelyOnExpert.sdoJointMeetingOfExpertsTxt>> <<{dateFormat(sdoR2PermissionToRelyOnExpert.sdoJointMeetingOfExpertsDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> <<sdoR2PermissionToRelyOnExpert.sdoUploadedToDigitalPortalTxt>>

<<es\_>>

<<cs\_{hasEvidenceFromAcousticEngineer=true}>>

**Evidence of an expert acoustic engineer**

1. <<sdoR2EvidenceAcousticEngineer.sdoEvidenceAcousticEngineerTxt>>
2. **Instruction of the expert**

<<sdoR2EvidenceAcousticEngineer.sdoInstructionOfTheExpertTxt>> <<{dateFormat(sdoR2EvidenceAcousticEngineer.sdoInstructionOfTheExpertDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

1. **Expert report**

<<sdoR2EvidenceAcousticEngineer.sdoExpertReportTxt>>

<<{dateFormat(sdoR2EvidenceAcousticEngineer.sdoExpertReportDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

<<sdoR2EvidenceAcousticEngineer.sdoExpertReportDigitalPortalTxt>>

1. **Written questions**<<sdoR2EvidenceAcousticEngineer.sdoWrittenQuestionsTxt>> <<{dateFormat(sdoR2EvidenceAcousticEngineer.sdoWrittenQuestionsDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> <<sdoR2EvidenceAcousticEngineer.sdoWrittenQuestionsPortalTxt>>
2. **Replies**<<sdoR2EvidenceAcousticEngineer.sdoRepliesTxt>> <<{dateFormat(sdoR2EvidenceAcousticEngineer.sdoRepliesDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> <<sdoR2EvidenceAcousticEngineer.sdoRepliesDigitalPortalTxt>>
3. **Service of order**

<<sdoR2EvidenceAcousticEngineer.serviceOfOrderTxt>>

1. **Expert may apply direct to the court for directions**The expert may apply direct to the court for directions where necessary under Rule 35.14 of the Civil Procedure Rules.
2. **Fees and expenses of the expert**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 save that the costs of answering questions shall be paid by the party asking.

<<es\_>>

<<cs\_{hasQuestionsToENTAfterReport=true}>>

**Questions to ENT expert(s) following engineering report**

**Written questions of any expert(s)**

1. <<sdoR2QuestionsToEntExpert.sdoWrittenQuestionsTxt>> <<{dateFormat(sdoR2QuestionsToEntExpert.sdoWrittenQuestionsDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> <<sdoR2QuestionsToEntExpert.sdoWrittenQuestionsDigPortalTxt>>

**Questions shall be answered by**

1. <<sdoR2QuestionsToEntExpert.sdoQuestionsShallBeAnsweredTxt>> <<{dateFormat(sdoR2EvidenceAcousticEngineer.sdoQuestionsShallBeAnsweredDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> <<sdoR2QuestionsToEntExpert.sdoShallBeUploadedTxt>>

<<es\_>>

<<cs\_{hasScheduleOfLoss=true}>>

**Schedule of loss**

**Claimant**

1. <<sdoR2ScheduleOfLoss.sdoR2ScheduleOfLossClaimantText >> <<{dateFormat(sdoR2ScheduleOfLoss.sdoR2ScheduleOfLossClaimantDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

**Defendant(s)**

1. <<sdoR2ScheduleOfLoss.sdoR2ScheduleOfLossDefendantText>> <<{dateFormat(sdoR2ScheduleOfLoss.sdoR2ScheduleOfLossDefendantDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>

**Future pecuniary loss**

<<cs\_{hasClaimForPecuniaryLoss =true}>>

1. Yes. <<sdoR2ScheduleOfLoss.sdoR2ScheduleOfLossPecuniaryLossTxt>>

<<es\_>>

<<cs\_{hasClaimForPecuniaryLoss=false}>>

1. No

<<es\_>>

<<es\_>>

<<cs\_{hasUploadDocuments=true}>>

**Upload of documents**

**Upload of documents to be relied upon**

1. <<sdoR2UploadOfDocuments.sdoUploadOfDocumentsTxt>>

<<es\_>>

<<cs\_{hasNewDirections =true}>>

**New direction**

<<rs\_ sdoR2AddNewDirection>>

1. <<value.directionComment>>

<<es\_ sdoR2AddNewDirection>>

<<es\_>>

<<cs\_{hasSdoTrial=true}>>

**Trial**

<<cs\_{hasSdoR2TrialWindow = false}>>

1. The trial will take place on the first open date after **<<**{dateFormat(sdoR2Trial.sdoR2TrialFirstOpenDateAfter.listFrom, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>.

<<es\_>>

<<cs\_{hasSdoR2TrialWindow =true}>>

1. The trial will take place between <<{dateFormat(sdoR2Trial.sdoR2TrialWindow.listFrom, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>> and <<{dateFormat(sdoR2Trial.sdoR2TrialWindow.dateTo, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>.

<<es\_>>

1. The time allocated for the trial is <<sdoTrialHearingTimeAllocated>>.

If either party considers that the time estimate is insufficient, they must inform the court

within seven days of the date of this order.

1. The hearing will take place at <<hearingLocation>>.
2. The hearing will take place by <<sdoTrialMethodOfHearing>>.

**Physical trial bundle**

1. <<sdoR2Trial.physicalBundlePartyTxt>>

<<es\_>>

**Important notes**

1. <<sdoR2ImportantNotesTxt>> <<{dateFormat(sdoR2ImportantNotesDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>