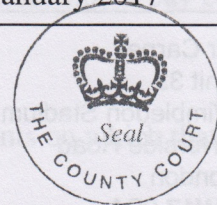


Order of Allocation to the Small Claims Track (Hearing)

In the County Court at Wandsworth

Claim Number C8QZ7H6D

Date 6 January 2017



MR CARL SCHREITER

1st Claimant
Ref CARPET2016

MR CARPET

1st Defendant
Ref

District Judge Hugman has considered the statements of case and questionnaires filed and allocated the claim to **the small claims track.**

The hearing of the claim will take place on a date to be fixed by the court.

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 5th January 2017

District Judge Hugman sitting at 76-78 Upper Richmond Road Putney London considered the papers in the case and

ordered that:

- 1) This Claim is allocated to the Small Claims Track and the parties are referred to Part 27 of the Civil Procedure Rules and the Practice Direction of that Part for guidance on how the hearing of the claim will be conducted.
- 2) The claim will be heard at 76-78 Upper Richmond Road Putney London on a date and at a time which is set out on a notice attached to this Order, or which will be sent to you later. The Court reserves the right to change the place and/or time of the hearing.
- 3) From the available papers, it is estimated that the hearing will take two hours. If a party is aware of a reason why this estimate might be substantially inaccurate, that party must notify the court immediately.

Notes

- If you cannot, or choose not to, attend the hearing, you must write and tell the court **at least 7 days before the date of the hearing.** The district judge will hear the case in your absence, but will take account of your statement of case and any other documents you have filed.
- If you do not attend the hearing and do not give notice that you will not attend, the district judge may strike out your claim, defence or counterclaim. If the claimant attends but the defendant does not, the district judge may make a decision based on the evidence of the claimant only.
- Leaflets explaining more about what you should do and what happens when your case is allocated to the small claims track are available from the court office, **or online at** www.hmcourts-service.gov.uk/cms/infoabout.htm.

- 4) The parties are encouraged always to try to settle the case by negotiation. The parties are encouraged to contact each other with a view to trying to settle the case or narrow the issues. The court must be informed immediately if the case is settled.
- 5) The following paragraphs set out the Judge's directions for preparation for the hearing. Failure to comply with the directions may result in the case having to be adjourned and the party at fault having to pay costs.

The following Directions apply to this Claim:

- 6) Each party must deliver to the other party and to the court office copies of all documents on which that party intends to rely at the hearing no later than 4pm on 16th February 2017.
- 7) The original documents must be brought to the hearing.
- 8) The judge may refuse to consider a document or take it into account if a copy of it has not been sent to the other party as required by this Order.
- 9) The documents to be sent to the other party and the court must include the statements of all witnesses (including the parties themselves).
- 10) Witness statements must:
 - a) Start with the name of the case and the claim number;
 - b) State the full name and address of the witness;
 - c) Set out the witness's evidence clearly in numbered paragraphs on numbered pages;
 - d) End with this paragraph: 'I believe that the facts stated in this witness statement are true.' (or words to that effect); and
 - e) be signed by the witness and dated.
- 11) The judge may refuse to hear the evidence or consider any statement of any witness whose statement has not been prepared and copied to the other party and the court in accordance with the paragraphs above.
- 12) Neither party may rely at the hearing on any report from an expert unless permission has been granted by the court beforehand. Anyone wishing to rely on an expert must write to the court immediately on receipt of this Order and seek permission, giving an explanation why the assistance of an expert is necessary.
- 13) 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 seven days of service of this Order.

The court must be informed immediately if the case is settled by agreement before the hearing date.

Date 6 January 2017

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If you do not attend the hearing and do not give notice that you will not attend, the district judge may strike out your claim, defence or counterclaim. If the claimant attends but the defendant does not, the district judge may make a decision based on the evidence of the claimant only.

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