No. 2

PERSONAL INJURIES DEFENCE.

O. 1A, r. 8

THE HIGH COURT

20…. No……

Between

A.B.,

............. Plaintiff,

and

C.D.,

................ Defendant.

Delivered on the ........ day of ......... two thousand ……………. by AB of (registered place of business) solicitor for the defendant.

TAKE NOTICE that the defence of the defendant to the claim of the plaintiff made by personal injuries summons dated the ..... day of ...... two thousand ………. is as follows:

[A defence to a personal injuries action shall:

(a) specify-

(i) the allegations specified, or matters pleaded, in the personal injuries summons of which the defendant does not require proof,

(ii) the allegations specified, or matters pleaded in the personal injuries summons of which he or she requires proof,

(iii) the grounds upon which the defendant claims that he or she is not liable for any injuries suffered by the plaintiff, and

(iv) where the defendant alleges that some or all of the personal injuries suffered by the plaintiff were occasioned in whole or in part by the plaintiff's own acts, the grounds upon which he or she so alleges, and

(b) contain full and detailed particulars of each denial or traverse, and of each allegation, assertion or plea, comprising the defendant's defence and, where appropriate, a counter-schedule setting out the defence to items of special damage claimed by the plaintiff.

COUNTER-SCHEDULE

DEFENCE TO ITEMS OF SPECIAL DAMAGE CLAIMED BY THE PLAINTIFF

*(add additional sheets if necessary)*

*(Particulars of a general denial, traverse, allegation, assertion or plea should be set out in the Defence under the paragraph containing same and headed "Particulars of …etc." Where same are lengthy, they may alternatively be scheduled to the Defence or set out in additional sheets appended to the Defence at time of service.*)]

(Signed) \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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