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| District Court - Schedule C - Forms in civil proceedingsS.I. No. 17 of 2014No. 40A.02 Personal injuries defence*Schedule CO.40A, r.7* District Court Area of District No. Record number: Between ........ Claimant ........ RespondentPERSONAL INJURIES APPEARANCE AND DEFENCE Civil Liability and Courts Act 2004, section 12This personal injuries appearance is filed and this personal injuries appearance and defence is served by the respondent. Particulars of first respondent:

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| Name | http://www.courts.ie/icons/ecblank.gif |
| Address | \*(in the above Court \*(area) and district) |
| Occupation | http://www.courts.ie/icons/ecblank.gif |
| PPSN | http://www.courts.ie/icons/ecblank.gif |
| \*Solicitor | \*(if the respondent intends to defend in person, please state “in person”) |
| Address for service of documents | http://www.courts.ie/icons/ecblank.gif |

[*A personal injuries defence must contain a statement entitled “Grounds of Defence” which must:* *(a) specify—* *(i) the allegations specified, or matters pleaded, in the personal injuries summons of which the respondent 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 respondent claims that he or she is not liable for any injuries suffered by the claimant, and* *(iv) where the respondent alleges that some or all of the personal injuries suffered by the claimant were occasioned in whole or in part by the claimant’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 respondent’s Defence and, where appropriate, a counter-schedule setting out the defence to items of special damage claimed by the claimant.*The following is a suggested format in which the defence might be presented: 1. THE RESPONDENT DOES NOT REQUIRE PROOF OF THE FOLLOWING ALLEGATIONS SPECIFIED OR MATTERS PLEADED IN THE PERSONAL INJURIES SUMMONS: 2. THE RESPONDENT REQUIRES PROOF OF THE FOLLOWING ALLEGATIONS SPECIFIED OR MATTERS PLEADED IN THE PERSONAL INJURIES SUMMONS: 3. THE GROUNDS UPON WHICH THE RESPONDENT CLAIMS THAT (S)HE IS NOT LIABLE FOR ANY INJURIES SUFFERED BY THE CLAIMANT ARE AS FOLLOWS: \*4. THE GROUNDS UPON WHICH THE RESPONDENT CLAIMS THAT SOME OR ALL OF THE INJURIES SUFFERED BY THE CLAIMANT WERE OCCASIONED IN WHOLE OR IN PART BY THE CLAIMANT’S OWN ACTS ARE AS FOLLOWS: 5. DEFENCE TO RELIEFS CLAIMED BY THE CLAIMANT: \*6. The bringing of these personal injuries proceedings requires to be authorised in accordance with \*section 14 \*section 17 \*section 32 \*section 36 \*section 49 \*rules under section 46(3) of the Personal Injuries Assessment Board Act 2003 and is not so authorised.Counter-schedule DEFENCE TO ITEMS OF SPECIAL DAMAGE CLAIMED BY THE CLAIMANT *(add additional sheets if necessary)* LIST OF CORRESPONDENCE AND OTHER DOCUMENTS ON WHICH THE RESPONDENT WILL RELY AT TRIAL

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| http://www.courts.ie/icons/ecblank.gif | Document | Date | Description |
| 1 | e.g. letter | 3 September 2013 | Letter from the respondent to the claimant |
| 2 | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif |
| Etc | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif |

[If a counterclaim is made, the statement of counterclaim (in Form 40A.03) should be inserted here]Dated the ...... day of ........ 20.... Signed:........ \*(Solicitor for) Respondent To the claimant(s) at the address(es) given in the personal injuries summons This personal injuries appearance and defence was filed at........ on the ...... day of ........ 20....with ........ the District Court Clerk assigned to the above Court area and district.*\*Delete where inapplicable*  |

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