No. 3

PERSONAL INJURIES COUNTERCLAIM

O. 1A, r. 8

INDORSEMENT OF COUNTERCLAIM

The defendant's counterclaim is for the reliefs set out herein for personal injuries suffered by the defendant as follows:

[A personal injuries counterclaim shall

(a) set out, in numbered paragraphs, full and detailed particulars of-

(i) the nature of the counterclaim and of each allegation, assertion or plea comprising that counterclaim;

(ii) the injuries to the defendant alleged to have been occasioned by the wrong of the plaintiff;

(iii) the acts of the plaintiff constituting the said wrong and the circumstances relating to the commission of the said wrong;

(iv) each instance of negligence by the plaintiff, and

(b) contain a schedule of full particulars of all items of special damage in respect of which the defendant is making a claim.

The following is a suggested format in which the indorsement might be presented:

1. Description of the parties;

2. The nature of the counterclaim;

3. The acts of the plaintiff alleged to constitute a wrong, each instance of negligence by the plaintiff, all other relevant circumstances in relation to the commission of the said wrong and any other assertion or plea concerning same;

4. The injuries to the defendant alleged to have been occasioned by the wrong of the plaintiff;

5. The reliefs sought;

6. (Where appropriate) the particulars required by Order 4, rule 3A.

SCHEDULE

Particulars of Items of Special Damage

*(Full particulars should be set out. Add additional sheets if necessary)*

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

This defendant's personal details are as follows:

1. Address of defendant's ordinary residence:

(state address accurately). The defendant's address for service, if different from the address mentioned above, should be stated here: .........

2. Defendant's occupation:

3. Defendant's date of birth: ..... Day: ........... Month ..........Year ...

4. Defendant's Personal Public Service Number:

 (If the Defendant has not been issued with a Personal Public Service Number, this must be stated) ................

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

--------