|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | District Court - Schedule C - Forms in civil proceedings  S.I. No. 17 of 2014  No. 42.01  Appearance and defence: general  *Schedule C O.42, r. 3(1)*  District Court Area of  District No. Record number:  Between  ........ Claimant  ........ Respondent  APPEARANCE  To: District Court Clerk:  The \*respondent intends \*respondents intend to defend this claim notice.  Particulars of first respondent:   |  |  | | --- | --- | | 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 |   [Repeat particulars for second and any subsequent respondent]  Dated the ........ day of........ 20....  Signed:........  \*(Solicitor for) Respondent  This appearance was filed at........ on the ...... day of ........ 20.... with ........ the District Court Clerk assigned to the above Court area and district  Note: This page only to be completed and filed with the appropriate District Court Clerk; the remainder of the document to be completed and served on the claimant or claimant’s solicitor.  *\*Delete where inapplicable*  --------------------------------------------------------------------------------------------------  *Schedule C O.42, r. 3(1)*  District Court Area of  District No.  Record number:  Between  ........ Claimant  ........ Respondent  APPEARANCE AND DEFENCE  The \*respondent intends \*respondents intend to defend this claim notice.  Particulars of first respondent:   |  |  | | --- | --- | | 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 |   [Repeat particulars for second and any subsequent respondent]  Dated the ........ day of........ 20....  Signed:........  \*(Solicitor for) Respondent  To the \*(solicitor for the) claimant(s) at the address(es) given in the claim notice  GROUNDS OF DEFENCE  *[Set out in numbered paragraphs a statement of the grounds of the respondent’s defence, including all material facts on which the respondent relies, with necessary particulars of such fact.*  *Grounds of defence must state which of the facts stated in the claimant’s statement of claim are admitted; denied or not admitted. Where a fact stated in a statement of claim is denied, reasons must be given for denying the fact; and if the respondent intends to prove a fact different from that stated in the statement of claim, the grounds of defence must state, with necessary particulars, the fact that the respondent intends to prove.*  *The grounds of defence must state specifically, with particulars, any fact or matter which makes the claim of the claimant not maintainable; or if not stated specifically, might take the claimant by surprise; or raises questions of fact not arising out of the statement of claim.*  *Example as follows—*  *1. The respondent admits and does not require proof of the following allegations specified or matters pleaded in the claimant’s statement of claim:........*  *2. The respondent denies the following allegations specified or matters pleaded in the claimant’s statement of claim:........*  *3. The respondent denies the allegation [x] because ........ and instead pleads that ........*  *4. The respondent alleges that the claimant’s claim is not maintainable in law against the respondent because........*  *5 In the alternative, some or all of the loss suffered by the claimant was occasioned in whole or in part by the claimant’s own action because........ ]*  LIST OF CORRESPONDENCE AND OTHER DOCUMENTS ON WHICH THE RESPONDENT WILL RELY AT TRIAL   |  |  |  |  | | --- | --- | --- | --- | | http://www.courts.ie/icons/ecblank.gif | Document | Date | Description | | *1* | *e.g. letter of offer* | *1 September 2013* | *Letter of offer from the claimant to the respondent* | | *2* | *e.g. contract* | *10 September 2013* | *Contract signed by the claimant and the respondent* | | 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 42.07) should be inserted here]*  Dated the ........ day of........ 20....  Signed:........  \*(Solicitor for) Respondent  To the \*(solicitor for the) claimant(s) at the address(es) given in the claim notice  *\*Delete where inapplicable* | |