

SCHEDULE OF COSTS PRECEDENTS  
**PRECEDENT A: MODEL FORM OF BILL OF COSTS**

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BRIGHTON DISTRICT REGISTRY

2011 – B – 9999

BETWEEN

AB Claimant

- and -

CD Defendant

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CLAIMANT'S BILL OF COSTS TO BE ASSESSED PURSUANT  
TO THE ORDER DATED 2<sup>ND</sup> APRIL 2013

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VAT NO. 33 4404 90

In these proceedings the claimant sought compensation for personal injuries and other losses suffered in a road accident which occurred on 1st January 2011 near the junction between Bolingbroke Lane and Regency Road, Brighton, East Sussex. The claimant had been travelling as a front seat passenger in a car driven by the defendant. The claimant suffered severe injuries when, because of the defendant's negligence, the car left the road and collided with a brick wall.

The defendant was later convicted of various offences arising out of the accident including careless driving and driving under the influence of drink or drugs.

In the civil action the defendant alleged that immediately before the car journey began the claimant had known that the defendant was under the influence of alcohol and therefore consented to the risk of injury or was contributory negligent as to it. It was also alleged that, immediately before the accident occurred, the claimant wrongfully took control of the steering wheel so causing the accident to occur.

The claimant first instructed solicitors, E F & Co, in this matter in July 2011. The claim form was issued in October 2011 and in February 2012 the proceedings were listed for a two day trial commencing 25th July 2012. At the trial the defendant was found liable but the compensation was reduced by 25% to take account of contributory negligence by the claimant. The claimant was awarded a total of £78,256.83 plus £1,207.16 interest plus costs.

The claimant instructed E F & Co under a retainer which specifies the following hourly rates.

Partner - £217 per hour plus VAT

Assistant Solicitor - £192 per hour plus VAT

Other fee earners - £118 per hour plus VAT

Except where the contrary is stated the proceedings were conducted on behalf of the claimant by an assistant solicitor, admitted November 2008.

<i>Item No.</i>	<i>Description of work done</i>	<i>VAT £</i>	<i>Disburse- ments £</i>	<i>Profit Costs £</i>
	8th July 2011 - EF & Co instructed			
1.	7 <sup>th</sup> October 2011 – Claim issued			
2.	Issue fee		685.00	
	21 <sup>st</sup> October 2011 – Particulars of claim served 25 <sup>th</sup> November 2011 – time for service of defence extended by agreement to 14 <sup>th</sup> January 2012			
3.	Fee on allocation		220.00	
	20 <sup>th</sup> January 2012 – case allocated to multi-track 9 <sup>th</sup> February 2012 – Case management conference at which costs were awarded to the claimant and the costs were summarily assessed at £400 (paid on 24 <sup>th</sup> February 2012)			
	23 <sup>rd</sup> February 2012 – Claimant’s list of documents			
	12 <sup>th</sup> April 2012 – Part 36 Offer £25,000			
	13 <sup>th</sup> April 2012 – Filing pre-trial checklist			
4.	Paid listing fee		110.00	
5.	Paid hearing fee		1090.00	
	25 <sup>th</sup> July 2012 – Attending first day of trial: adjourned part heard			
	Engaged in court 5.0 hours	£960.00		
	Engaged in conference 0.75 hours	£144.00		
	Travel and waiting 1.5 hours	£288.00		
6.	Total solicitors fee for attending			1392.00
7.	Counsel’s fee for trial (Miss GH)	400.00	2000.00	
8.	Fee of expert witness (Dr IJ)		850.00	
9.	Expenses of witnesses of fact		84.00	
	26 <sup>th</sup> July 2012 – Attending second day of trial when judgment was given for the claimant in the sum of £78,256.53 plus £1207.16 interest plus costs			
	<b>To summary:</b>	<b>400.00</b>	<b>5039.00</b>	<b>1392.00</b>

<i>Item No.</i>	<i>Description of work done</i>	<i>VAT £</i>	<i>Disbursements £</i>	<i>Profit Costs £</i>
	Engaged in Court 3.00 hours			£576.00
	Engaged in conference 1.5 hours			£288.00
	Travel and waiting 1.5 hours			£288.00
10.	Total solicitor's fee for attending			1,152.00
11.	Counsel's fee for second day (Miss GH) <b>Claimant</b>	190.00	950.00	
12.	8 <sup>th</sup> July 2011 – First instructions: 0.75 hours by Partner:  Other timed attendances in person and by telephone – See Schedule 1			162.75
13.	Total fee for Schedule 1 – 7.5 hours			1,440.00
14.	Routine letters out and telephone calls – 29 (17+12) total fee			556.80
	<b>Witnesses of Fact</b> Timed attendances in person, by letter out and by telephone – See Schedule 2			
15.	Total fee for Schedule 2 – 5.2 hours			998.40
16.	Routine letters out, e-mails and telephone calls – 8 (4+2+2) total fee			153.60
17.	Paid travelling on 10 <sup>th</sup> October 2011	4.59	22.96	
	<b>Medical Expert (Dr IJ)</b>			
18.	11 September 2011 – long letter out 0.33 hours fee			63.36
19.	31 <sup>st</sup> January 2012 – long letter out 0.25 hours fee			48.00
20.	23 <sup>rd</sup> May 2012 – telephone call 0.2 hours fee			38.40
21.	Routine letters out and telephone calls – 10 (6+4) total fee			192.00
22.	Dr IJ's fee for report	-	500.00	
	<b>Defendant and his solicitor</b>			
23.	8 <sup>th</sup> July 2011 – timed letter sent 0.5 hours fee			96.00
24.	19 <sup>th</sup> February 2012 – telephone call 0.25 hours fee			48.00
25.	Routine letters out and telephone calls – 24 (18+6) total fee			460.80
	<b>Communications with the court</b>			
26.	Routine letters out and telephone calls – 9 (8+1) total fee			172.80
	<b>To summary:</b>	<b>194.59</b>	<b>1,472.96</b>	<b>5,582.91</b>

<i>Item No.</i>	<i>Description of work done</i>	<i>VAT £</i>	<i>Disbursements £</i>	<i>Profit costs £</i>
27.	<b>Communications with counsel</b> Routine letters out, e-mails and telephone calls – 19 (4+7+8) total fee			364.80
28.	<b>Work done on documents</b> Timed attendance – see Schedule 3 Total fees for Schedule 3 – 0.75 hours at £217, 44.5 hours at £192, 12 hours at £118			10,122.75
29.	<b>Work done on negotiations</b> 23 <sup>rd</sup> March 2012 – meeting at offices of solicitors for the Defendant Engaged - 1.5 hours £288 Travel and waiting – 1.25 hours £240 Total fee for meeting			528.00
30.	<b>Other work done</b> Preparing and checking bill Engaged solicitor – 1 hour £192 Engaged: Costs draftsman – 4 hours (at £110) £480 Total fee on other work done			672.00
31.	VAT on solicitor's fees (20% of £18,662.46)	3,731.49		
32.	VAT on Counsel's fees (20% of £3,950.00)	790.00		
	<b>To summary:</b>	<b>4,521.49</b>		<b>11,687.55</b>
	<b>Summary</b>			
	Page 2	<b>400.00</b>	<b>5,039.00</b>	<b>1,392.00</b>
	Page 3	<b>194.59</b>	<b>1,472.96</b>	<b>5,582.91</b>
	Page 4	<b>4,521.49</b>		<b>11,687.55</b>
	Totals:	<b>5,116.08</b>	<b>6,511.96</b>	<b>18,662.46</b>
	Grand Total			<b>30,290.50</b>