

Standard Directions in Mercantile Courts

[Title of case with Judge's name]

Order for Directions

made on []

1. Standard disclosure is to be made by [].
Inspection on 48 hours notice to be completed by [].
2. Signed statements of witnesses of fact, and hearsay notices when required by CPR 33.2, are to be exchanged not later than [].

Unless otherwise ordered, the witness statements are to stand as the evidence in chief of the witnesses at trial.

3. Each party has permission to call at the trial expert witnesses as follows:

| <u>Number</u> | <u>Expertise</u> | <u>Issue(s) to be covered</u> |
|---------------|------------------|-------------------------------|
|---------------|------------------|-------------------------------|

whose reports are to be exchanged by [].

4. Experts of like disciplines are to:
 - (i) meet without prejudice by [] to identify the issues between them and to attempt to reach agreement on such issues, and
 - (ii) prepare a joint statement pursuant to CPR 35.12(3), by [].

or

3. Expert evidence in the following field(s) of expertise is limited to a written report by a single expert jointly instructed by the parties:

| <u>Expertise</u> | <u>Issue(s) to be covered</u> |
|------------------|-------------------------------|
|------------------|-------------------------------|

4.
 - (i) The report of the single joint expert is to be produced by [].
 - (ii) Any questions to the expert are to be presented to him by [] and answered by [].
 - (iii) Any party may apply not later than [] for an order that the expert witness shall give oral evidence at the trial.

5. The case will be tried in [] by judge alone, estimated length of trial [] days, [commencing on [] [not before []].
[The claimant is to apply to the mercantile listing officer to fix a date for the trial, not later than [], specifying dates which any party wishes to avoid.]

- [6 . The progress monitoring date is []. Each party is to notify the court in writing by that date (with a copy to all other parties) of the progress of the case, including -
- (i) whether the directions have been complied with in all respects;
 - (ii) if any directions are outstanding, which of them and why; and
 - (iii) whether a further case management conference or a pre-trial review is required.]
7. There will be a pre-trial review on [].
[In the event of both parties notifying the court in writing not less than [] days before the pre-trial review that it is not required, then it will be vacated.]
8. Signed pre-trial check lists are to be filed and served by [] [not less than 7 days before the pre-trial review] [not less than 6 weeks before the trial date].
9. Trial bundles must be agreed, prepared and delivered to counsel not less than [] days before the trial date, and to the court not less than [] days before the trial date.
10. Costs in the case.

DATED