

Pre-trial Check List - Mercantile Courts

[Title of Case]

Where a Pre-trial Review has been ordered, this check list must be filed with Mercantile Listing not less than 7 days before the Pre-trial Review, and copies served on all other parties.

Where a Pre-trial Review has not been ordered, it must be filed and served not less than 6 weeks before the trial date .

See paragraph 8.2 of the Mercantile Courts Practice Direction.

- a. Trial Date:
- b. Whether Pre-trial Review ordered:
- c. Date of Review:
- d. Party lodging:
- e. Solicitors:
- f. Advocate(s) for trial:
- g. Date lodged:

[Note: this checklist should normally be completed with the involvement of the advocate(s) instructed for trial.]

- 1. Have all the directions made to date been carried out?
- 2. If not, what remains to be carried out? When will it be carried out?
- 3. Do you intend to take any further steps regarding:
 - (i) statements of case?
 - (ii) disclosure?
 - (iii) witnesses and witness statements?
 - (iv) experts and expert reports?If yes in any case, what and by when?
- 4. Will the preparation of trial bundles be completed not later than 3 weeks before the date fixed for trial? If not, what is the position?
- 5. What witnesses of fact do you intend to call?
- 6. (Where directions for expert evidence have been given) what experts do you intend to call?
- 7. Is any interpreter needed: for whom?
- 8. If a Pre-trial Review has not been ordered, do you think one would be useful?
- 9. What are the advocate(s)' confirmed estimates of the minimum and maximum lengths of the trial? A confirmed estimate signed by the advocate(s) and dated must be attached.
- 10.
 - (i) Might some form of alternative dispute resolution now assist?
 - (ii) Has the question been considered with the client?
 - (iii) Has the question been explored with the other parties to the case?

[Signature of party/solicitor]