

# Declaration as to inability of a defendant to file and serve statement of case under a decree of limitation

“The defendant *(give name)*

is unable to file and serve a statement of case within the time fixed under the general limitation decree made in this claim on the *(give date)* as he requires further information to enable him to decide whether or not to dispute the claimant’s right to limit liability in the following respects: *(state them)*

**OR**

“The defendant *(give name)*

requires a further *(give period)*

in which to file and serve an application to set aside

the said general limitation decree *(state reasons for request)*”

**OR**

“The defendant *(give name)*

requires a further *(give period)*

in which to file and serve his statement of case

under the said general limitation decree *(state reasons for request)*”

## Statement of Truth

\*(I believe)(The defendant believes) that the facts stated in this declaration are true.

\* I am duly authorised by the claimant to sign this statement

Full name \_\_\_\_\_

Name of defendant’s solicitor’s firm \_\_\_\_\_

signed \_\_\_\_\_ position or office held \_\_\_\_\_

\*(Defendant)(Defendant’s solicitor) (if signing on behalf of firm or company)

\*delete as appropriate