

STATEMENT OF CLAIM

COURT DETAILS

Court	Local Court
#Division	Small Claims Division
#List	
Registry	Parramatta
Case number	

TITLE OF PROCEEDINGS

plaintiff	Natalie Stark
defendant	Rachel Moon

FILING DETAILS

Filed for	Natalie Stark, plaintiff
Contact name and telephone	Natalie Stark 02 2222 1111
Contact email	Natalie.Starkmail@sample.com

TYPE OF CLAIM

[Select type of claim from the list available on the UCPR website www.ucprforms.nsw.gov.au by clicking on the link to Publications, or at any NSW court registry]

Mercantile Law – Bailment

[on separate page]

[Note: If the completed RELIEF CLAIMED will fit in the available space appearing after TYPE OF CLAIM on the first page of this form, you may delete the page break, include the RELIEF CLAIMED on the first page and start this page with PLEADINGS AND PARTICULARS.]

RELIEF CLAIMED

- 1 That the defendant return the goods to the plaintiff.
- 2 In the alternative, that the defendant pay the plaintiff the total amount claimed below.

[If you are making a liquidated claim (ie claiming a specific amount of money), include the following information:]

Amount of claim	\$1,000.00
Interest	\$0.00
Filing fees	\$172.00
Service fees	\$53.00
Solicitors fees	\$0.00
TOTAL	\$1,225.00

PLEADINGS AND PARTICULARS

- 1 The plaintiff and the defendant were in a relationship from 1 February 20XX until 15 July 20XX.
- 2 In May 2021, the plaintiff went to the Queensland for a three-month work contract.
- 3 During this time, the plaintiff and the defendant had an understanding that the plaintiff's pet dog, Charlie, would be cared by the defendant.
- 4 While the plaintiff was in Queensland, the plaintiff and defendant ended their relationship.
- 5 The plaintiff returned to NSW in August and asked to get her goods back, including her pet dog Charlie and a Dell laptop.
- 6 The defendant had given the Dell laptop as a birthday gift to the plaintiff during their relationship. The market value of the Dell laptop is \$250.
- 7 The plaintiff had purchased the dog, Charlie from a local breeder for \$750.
- 8 The plaintiff sent a letter of demand to the defendant on 10 August 20XX to recover the pet dog, Charlie and the Dell laptop.
- 9 The defendant refused to return the goods upon demand.
- 10 The plaintiff claims:
 - a. An order for the recovery of the goods, or;

- b. In the alternative, an order for \$1,151.000 for the value of the goods.

SIGNATURE

I acknowledge that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature *Natalie Stark*

Capacity plaintiff

Date of signature 19 September 20XX

NOTICE TO DEFENDANT

If you do not file a defence within 28 days of being served with this statement of claim:

- **You will be in default in these proceedings.**
- **The court may enter judgment against you without any further notice to you.**

The judgment may be for the relief claimed in the statement of claim and for the plaintiff's costs of bringing these proceedings. The court may provide third parties with details of any default judgment entered against you.

HOW TO RESPOND

Please read this statement of claim very carefully. If you have any trouble understanding it or require assistance on how to respond to the claim you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the claim from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

You can respond in one of the following ways:

- 1 If you intend to dispute the claim or part of the claim,** by filing a defence and/or making a cross-claim.
- 2 If money is claimed, and you believe you owe the money claimed, by:**
 - Paying the plaintiff all of the money and interest claimed. If you file a notice of payment under UCPR 6.17 further proceedings against you will be stayed unless the court otherwise orders.
 - Filing an acknowledgement of the claim.
 - Applying to the court for further time to pay the claim.
- 3 If money is claimed, and you believe you owe part of the money claimed, by:**

- Paying the plaintiff that part of the money that is claimed.
- Filing a defence in relation to the part that you do not believe is owed.

Court forms are available on the UCPR website at www.ucprforms.nsw.gov.au or at any NSW court registry.

REGISTRY ADDRESS

Street address	12 George Street, Parramatta NSW 2150
Postal address	PO BOX 92 Parramatta NSW 2150
Telephone	1300 679 272

SAMPLE