

STATEMENT OF CLAIM

COURT DETAILS

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

TITLE OF PROCEEDINGS

plaintiff	Meena Vishwana
defendant	Fiona Frame trading as Fantastic Florists

FILING DETAILS

Filed for	Meena Vishwana, plaintiff
Contact name and telephone	Meena Vishwana 02 2222 1111
Contact email	meena.vishwana@chillmail.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 - Sale of Goods and Services - Work done

[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 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	\$4,000.00
Interest	\$44.10
Filing fees	\$172.00
Service fees	\$53.00
Solicitors fees	\$0.00
TOTAL	\$4,269.10

PLEADINGS AND PARTICULARS

- 1 In April 20XX in Blacktown NSW the plaintiff and defendant agreed that the plaintiff would maintain the defendant's website and provide IT support services for up to 20 hours per month at a fee of \$1,333.34 per month including GST starting from May 20XX.
- 2 The plaintiff provided these services to the defendant in the months of May, June and July 20XX.
- 3 The plaintiff issued an invoice to the defendant dated 10 August 20XX, payable within 30 days for services provided in the months of May, June and July 20XX.
- 4 The defendant has failed to pay the invoice. The total amount outstanding is \$4,000.00.
- 5 The plaintiff claims:
 - a. Debt of \$4,000.00.
 - b. Interest pursuant to section 100 *Civil Procedure Act 2005* from 10 September 20XX–19 November 20XX.

SIGNATURE

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

Signature

Meena Vishwana

Capacity

plaintiff

Date of signature

19 November 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

1 Kildare Road, Blacktown

Postal address PO BOX 217 Blacktown NSW 2148

Telephone 02 9672 2610

SAMPLE

Form 1—Notice when serving initiating process in civil proceedings

Note: This form is to be used when serving an initiating process in civil proceedings in a court: see section 16 of the Act.

Service and Execution of Process Act 1992

Notice to defendant¹

Please read this notice and the attached document very carefully

If you have any trouble understanding them you should get legal advice as soon as possible

Attached to this notice is a *Statement of claim* (“the attached process”) issued out of the *Local Court of NSW at Blacktown*.

Service of the attached process outside *NSW* is authorised by the *Service and Execution of Process Act 1992*.

Your rights

If a court of a State or Territory other than *NSW* is the appropriate court to determine the claim against you set out in the attached process, you may be able to *have the proceeding stayed by applying to the Local Court of NSW at Blacktown*.

If you think the proceeding should be stayed or transferred you should get legal advice as soon as possible.

Contesting this claim

If you want to contest this claim, you must take any action set out in the attached process as being necessary to contest the claim.

⁴If you want to contest this claim, you must also file an appearance⁵ in the *Local Court of NSW at Blacktown*. You have only 21⁶ days after receiving the attached process to do so.

The appearance⁵ must contain *an address in Australia where documents can be left for you or sent to you*.
