**Form 11: Pre-determination hearing questionnaire**

**CERVICALCHECK TRIBUNAL**

**PRE-DETERMINATION HEARING QUESTIONNAIRE**

**Claim record no.:**

**[1st]\* Claimant**

Full name: ……………………………………………………….. *\*(add “and others” where there is more than one claimant)*

**[1st]\* Respondent**

Full name: ………………………………………………………..*\*(add “and others” where there is more than one respondent)*

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**Section A: Pre-Determination Hearing Procedures**

1. Pleadings and Proofs

Are all Pleadings exchanged? yes/no

If not, what pleading was last exchanged?

2. Have proofs been advised? yes/no

(a) If proofs have not been advised, please confirm whether or not

same will be sought and advised prior to case management conference yes/no

(b) If proofs have been advised, please confirm that you are in a

position to comply yes/no

3. Have all pre-trial procedures been fully complied with including:-

(Delete where not applicable)

(a) Standard discovery? yes/no

(b) Further/additional discovery? yes/no

(c) Admissions; Notices to admit facts? yes/no

(d) Interrogatories? yes/no

(e) Service of third party notices? yes/no

(f) Service of notices of contribution and indemnity? yes/no

(g) Fixing of issues? yes/no

(h) Any other directions given by the Tribunal? yes/no

4. If any matters referred to at paragraphs 1-2 above remain

outstanding, please set out reasons for same.

5. State which of the following issues remain in dispute, and as between which parties:

Parties

(a) causation? yes/no …………………………………………….

(b) liability? yes/no …………………………………………….

(c) quantum yes/no …………………………………………….

6. Are there any further directions required to prepare the case for trial? yes/no

If yes, please explain the directions required and give reasons.

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**Section B: Determination Hearing**

1. Please attach chronology of the relevant events likely to be

referred to in the course of the determination hearing.

Has this been agreed with the other parties and if not, why not?

((Un)agreed chronology attached)

2. Please furnish an agreed statement of the issues to be determined

at the Determination Hearing or, insofar as such issues may not be

agreed, a brief statement thereof as perceived by you.

((Un)agreed statement attached)

3. Do the parties intend to have overnight transcripts? yes/no

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**Section C: Expert and other Witnesses**

1. List the witnesses you intend to call, indicating which of these are expert witnesses, and in the case of expert witnesses, stating their qualifications and field of expertise.

(Mr /Ms (expert – field of expertise:)

(Mr /Ms)

2. [Where two or more respondents] Have the respondents agreed on a single expert to offer evidence on any issue relating to -

(i) quantum of damages, yes/no

(ii) the physical condition of the plaintiff, yes/no

(iii) the mental [or psychological] condition of the plaintiff, yes/no

(iv) the prognosis as to the physical or mental condition of the plaintiff. yes/no

3. (a) Have the claimant’s written statements of non-expert witnesses

been delivered? yes/no

If not, why not?

(b) Have the respondent’s written statements of non-expert witnesses

been delivered? yes/no

If not, why not?

4. (a) Have the claimant’s reports of expert witnesses been delivered? yes/no

If not, why not?

(b) Have the respondent’s reports of expert witnesses been delivered? yes/no

If not, why not?

5. (a) Has the claimant delivered any supplemental or further

written statements of non-expert witnesses? yes/no

If so, please identify each statement concerned…………………………………………

(b) Has the respondent delivered any supplemental written

statements of non-expert witnesses? yes/no

If so, please identify each statement concerned ......……………………………………..

6. (a) Has the claimant delivered any supplemental expert report(s)? yes/no

If so, please identify each report concerned.........................................................................

(b) Has the respondent delivered any supplemental expert report(s)? yes/no

If so, please identify each report concerned ……………………………………………..

7. Have the parties’ expert witnesses from the same field of experience met with each other and submitted to the registrar a memorandum in accordance with rule [41(b)]?

[Identify each field of expertise and the related meeting required] yes/no

If not, why not?

8. Are special facilities required at the venue for the determination

hearing to facilitate the giving of any expert evidence (including

video-conferencing or other courtroom technology)? yes/no

If so, give details.

9. Does any witness require special facilities? yes/no

If so, give details.

10. Does any witness require an interpreter? yes/no

If so, give details.

11. Are any special information and communications technology

facilities (e.g. digital audio voicerecording, video-conferencing)

required at the venue for the determination hearing? yes/no

If so, give details.

Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Solicitor for the) Claimant

(Solicitor for the) Respondent

Continue any answers on separate sheets where necessary

To: The Registrar, CervicalCheck Tribunal

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