

Form 9I

RECORDING SETTLEMENT / ENTERING JUDGMENT BY CONSENT (NIMA/PI/PIMA)

Case Number: DC/MC _____ of _____ Date : _____

Plaintiff's Law Firm / Solicitor: _____

Defendant's Law Firm / Solicitor : _____

Other party's Law Firm(s) / Solicitor(s): _____

(I) Settlement
(a)NIMA / PI
AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury does not
exceed \$5,000

Terms of Settlement:
 By consent, and in full & final settlement of the Plaintiff's claim, the _____ shall pay the following to the Plaintiff / _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as costs.* / Costs to be taxed if not agreed*.

\$ _____ as disbursements.* / Disbursements to be taxed if not agreed*.

\$ _____ as interest from _____

Payment is to be made within _____ weeks from the date this settlement is recorded.

In default of payment, the Plaintiff is at liberty to extract the Order of Court for enforcement.

The Plaintiff / _____ shall file the Notice of Discontinuance within _____ days of receiving final payment from the _____.

This is a tentative settlement and the parties will write in to Court within _____ weeks, i.e. by _____, if they are unable to proceed with the settlement. If not, this tentative settlement recorded shall be deemed to be a final settlement.

Person Under Disability

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court (Cap. 322, R 5), this settlement agreed upon by parties is hereby approved by the Court.

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court, payment is to be made to the litigation representative on trust for the Plaintiff for his/her maintenance or otherwise for his/her benefit.

(Insert any other terms not provided for above) _____

(II) Interlocutory Judgment

Consent Interlocutory Judgment:

By consent, interlocutory judgment is entered for the Plaintiff against the _____ for [____% of the]* damages to be assessed, leaving the issues of damages, interest and costs reserved to the Registrar assessing the damages.

By consent, interlocutory judgment is entered for the Plaintiff against the _____ for [____% of the]* damages to be assessed, leaving the issues of causation, damages, interest and costs reserved to the Registrar assessing the damages.

By consent, the Third Party is to indemnify the Defendant for [____% of the]* damages, costs, reasonable disbursements and interests payable to the Plaintiff.

By consent, interlocutory judgment is entered for the Plaintiff against the _____ on the following terms: _____

(III) Final Judgment

(a)NIMA / PI
AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury exceeds
\$5,000

Consent Final Judgment:

By consent, final judgment is entered for the Plaintiff against the _____ whereby the _____ shall pay the following to the _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as general damages, \$ _____ as injury related special damages and \$ _____ as non-injury related special damages (inclusive of interest)*.

The claim being a fatal accident claim, general damages comprises \$ _____ for bereavement for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____] and \$ _____ for loss of dependency for the benefit of [_____].

	<p>\$ _____ in special damages (excluding the sum for funeral expenses) to [_____] and \$ _____ for funeral expenses to [_____].</p> <p><input type="checkbox"/> \$ _____ as interest from _____.</p> <p><input type="checkbox"/> \$ _____ as costs* / Costs to be taxed if not agreed*.</p> <p><input type="checkbox"/> \$ _____ as disbursements* / Disbursements to be taxed if not agreed*.</p> <p><input type="checkbox"/> (Insert any other terms not provided for above) _____</p>				
<p>Usual Consequential Orders ONLY For PIMA cases where the “relevant amount” relating to damages for death / bodily injury exceeds \$5,000</p>	<p><input type="checkbox"/> Usual Consequential Orders when entering Final Judgment for PIMA Cases</p> <p><input type="checkbox"/> <u>Usual Consequential Orders (Where Plaintiff is NOT a Specified Person)</u></p> <p>“...And it is ordered that —</p> <ol style="list-style-type: none"> 1. the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and 2. the balance of the judgment sums due to the Plaintiff shall be paid by the Defendant to the Plaintiff. <p><input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff / dependant is a Specified Person AND a Person Under Disability</u></p> <p>“...And it is ordered that —</p> <ol style="list-style-type: none"> 1. the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and 2. as the Plaintiff / dependant is a person under disability pursuant to Order 76 of the Rules of Court, the balance of the judgment sums shall be paid by the Defendant to: <ul style="list-style-type: none"> <input type="checkbox"/> the litigation representative of the Plaintiff / dependant; OR <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff / dependant for his/her maintenance or otherwise for his/her benefit.” <p><input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff is a Specified Person BUT NOT a Person Under Disability</u></p> <p>“...And it is ordered that —</p> <ol style="list-style-type: none"> 1. the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and 2. as the Plaintiff is <i>not represented by a public officer or an advocate and solicitor / isolated in a hospital or other place under section 15(1) or (2) of the Infectious Diseases Act (Cap. 137) / a person under legal custody or in a place of detention</i>, the balance of the judgment sums shall be paid by the Defendant to: <ul style="list-style-type: none"> <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff OR; <input type="checkbox"/> the Plaintiff in the following manner: _____ <p><input type="checkbox"/> (Insert any other terms of payment not provided for above) _____</p>				
<p>Public Trustee’s Fee</p>	<p><input type="checkbox"/> The Plaintiff’s disbursements shall include \$ _____ as the Public Trustee’s fee*/ (where payment is to be made to Public Trustee on trust) the Public Trustee’s fee to be determined by the Public Trustee in accordance with the rules for the time being in force*.</p>				
<p>Costs</p>	<p><input type="checkbox"/> Indication on costs: Plaintiff’s Counsel: \$ _____; Defendant’s Counsel: \$ _____; _____ Counsel: \$ _____</p>				
<p>Judge’s Orders / Directions</p>	<table border="1"> <tr> <td data-bbox="231 1935 1241 2009"> <input type="checkbox"/> Settlement is recorded / Judgment is entered as per terms stated in Section I, II or III. </td> <td data-bbox="1241 1935 1551 2116" rowspan="3"> <p align="center">Judge’s Signature & Stamp</p> </td> </tr> <tr> <td data-bbox="231 2009 1241 2080"> <input type="checkbox"/> Costs indicated at \$ _____ / plus reasonable disbursements* / plus GST*. </td> </tr> <tr> <td data-bbox="231 2080 1241 2116"> <input type="checkbox"/> Other directions _____ </td> </tr> </table>	<input type="checkbox"/> Settlement is recorded / Judgment is entered as per terms stated in Section I, II or III.	<p align="center">Judge’s Signature & Stamp</p>	<input type="checkbox"/> Costs indicated at \$ _____ / plus reasonable disbursements* / plus GST*.	<input type="checkbox"/> Other directions _____
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<input type="checkbox"/> Costs indicated at \$ _____ / plus reasonable disbursements* / plus GST*.					
<input type="checkbox"/> Other directions _____					

*delete where appropriate