ADDLESHAW GODDARD

COMBINED (BASIC AND EXTENDED) DISCLOSURE TIMELINE BASED ON DRAFT PROPOSAL

Claim Commences

The parties may agree in writing, before or after the commencement of a Claim, to either dispense with or defer Basic Disclosure. The court can set aside this agreement.

Statement of Case is served

If Basic Disclosure not dispensed with or deferred, list of documents must be provided along with copies of the key documents:

- on which the party has relied (expressly or impliedly) in support or claims/defences advanced in the statements of case; and
- those that are necessary to enable the other parties to understand the case they have to meet

and each party must, when serving their statement of case, confirm in writing that steps have been taken to preserve relevant documents.

No Basic Disclosure if Claim Form not accompanied by Particulars of Claim.

If serving on a Defendant out of the jurisdiction, Basic Disclosure is not required in respect of that Defendant unless and until that Defendant files an Acknowledgement of Service, not contesting jurisdiction.

At the same time, the party would have to state whether or not it is likely to request Extended Disclosure on any issue. At this stage, the party should not particularise the model or the issue.

Final date for reply to be served. This date will be different depending on which court guide applies.

+21 Days

Claimant must prepare and serve on the other parties a draft List of Issues for Disclosure (in the manner prescribed by Section 1A of the Disclosure Review Document (DRD))

+14 Days

If a particular issue is not included in the list, or described in a manner that is unacceptable to the Defendant, the Defendant should provide the Claimant with its proposed wording or alternative wording for inclusion in the draft List of Issues for Disclosure as soon as practicable and in any event no later than 14 days after service of the draft List of Issues for Disclosure.

If Model C sought by the Claimant

If in Section 1A of the Disclosure Review Document, the party seeks Model C, it must complete and provide Section 1B of the Disclosure Review Document to the other party as soon as is reasonably practicable and in any event not less than 28 days before the date fixed for the CMC.

28 Days before CMC

Any party provided with Section 1B requests must, as soon as reasonably practicable, and in any event 14 days before the CMC respond by completing the 'Response' column of Section 1B. If the party does not agree with Model C, they should not complete this form

14 Days before CMC

Parties should prepare and exchange Section 2 of the Disclosure Review Document as soon as reasonably practicable and in any event no later than 14 days before the CMC.

7 Days before CMC

Parties must file at Court and serve on all other parties updated versions of any sections of the DRD that have been exchanged, completed to the fullest extent possible and signed by their representative

First CMC

Before the first CMC, the parties must discuss and seek to agree the draft List of Issues for Disclosure. They should indicate which Model of Extended Disclosure is sought for each issue.

The Court will determine whether to order Extended Disclosure.