

DEFENCE & COUNTERCLAIM

(specified amount)

Claim No.

**IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN
CIVIL DIVISION**

PROCEDURE

Parties

Claimant(s)

Defendant(s)

DEFENCE

COUNTERCLAIM

(fee required if 'Yes' – see guidance below)

Each of these boxes must state either 'YES' or 'NO'.
Failure to do so will result in the form being returned.

Please enter the full name of the defendant if (a) there is more than one defendant or (b) it is different from the name given on the claim form.

You have a limited number of days to complete and return this form
Before completing this form, please read the notes for guidance attached to the claim form
Complete the boxes above, using the details on the claim form. The court cannot trace your case without this information

When to fill in this form

Only fill in this form if you wish to dispute all or part of the claim and/or make a claim against the claimant (a 'counterclaim').

Counterclaim

- To start your counterclaim, you will have to pay a fee. Court Office staff can tell you how much you have to pay. Alternatively, you can view the current Fees Order at www.courts.im.
- You can make a counterclaim against the claimant(s) without the Courts permission if it is filed with the defence. To make a counterclaim at any other time, the Court's permission will be required.

How to fill in this form

- Complete the form in *duplicate*.
- Complete the boxes above indicating Counterclaim and/or Defence
- Complete section 1. Enter an 'X' in the correct boxes and give the other details asked for.
- Set out your defence in section 2. If you need to continue on a separate sheet, please use the prescribed form 'HCC - CONTINUATION SHEET'.

In your defence you must state which allegations in the particulars of claim you deny and your reasons for doing so. If you fail to deny an allegation it may be taken that you admit it.

If you dispute only some of the allegations you must

- specify which you admit and which you deny; and
 - give your own version of events if different from the claimant's.
- If you wish to make a claim against the claimant (a 'counterclaim') complete section 3.
 - Complete and sign section 4.

Where to send this form

- Take or send one copy of the form to the Courts Office at Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas, Isle of Man IM1 3AR.
- If you are making a counterclaim the requisite fee must accompany the copy form being taken or sent to the Court Office.
- Take or send the other copy to the claimant at the address to which documents or payments should be sent at the end of the claim form.

You should take a copy of the form, once completed, and keep it with the claim form.

1. How much of the claim do you dispute?

dispute the full amount claimed as shown on the claim form.

If you dispute the claim because you have already paid it in full, complete the box below

I paid £ to the claimant on
Give details of where and how you paid it:

admit the amount of £

If you dispute only part of the claim you must either —

- pay the amount admitted to the claimant, and take or send the copies of this defence form as stated above; or —
- complete the admission form HC2C and this defence form and take or send the copies of them as stated above.

If you have already paid the amount admitted, complete the box below

I paid the amount admitted on
Give details of where and how you paid it:

2. Defence

(use numbered paragraphs)

If you need to continue on a separate sheet, please use the prescribed form 'HCC - CONTINUATION SHEET'

3. Counterclaim

Complete this section if you wish to make a claim against the claimant (a 'counterclaim').

If your claim is for a specific sum of money, how much are you claiming?

£

I enclose the counterclaim fee of £

My claim is for (specify nature of claim)

Particulars of counterclaim

(use numbered paragraphs)

If you need to continue on a separate sheet, please use the prescribed form 'HCC - CONTINUATION SHEET'

4. Statement of truth

[I believe] [The defendant believes] that the facts stated in this form are true.

[I am duly authorised by the defendant to sign this statement]

Full name of [defendant] ['s advocate]*

*indicate as appropriate

Name of defendant's advocate's firm

If the defendant is an individual, give date of birth (or over 18) here

Signed

[Defendant] ['s advocate] [Litigation friend] indicate as appropriate

Position or office held (if signed on behalf of a company or other corporation)	
Date	
Defendant or defendant's advocate's address in the Isle of Man (including postcode) to which documents or payments should be sent:	Telephone no.
	Fax no. (if appropriate)
	E-mail (if appropriate)
	Reference (if any)