

Sample Statement of cross-claim (Form 9)

This is an example of a completed Statement of cross-claim. It is important to complete this form using your own details and based on your own circumstances. If you need more help, get legal advice.

Form 9 (version 6)
UCPR 9.1

FIRST CROSS-CLAIM STATEMENT OF CROSS-CLAIM

COURT DETAILS

Court	Local Court of NSW
Division	Small Claims
List	N/A
Registry	Bankstown
Case number	[Cross-claim case number]

TITLE OF PROCEEDINGS

Plaintiff	John Hughes
Defendant	Samira Khan

TITLE OF THIS CROSS-CLAIM

Cross-Claimant	Samira Khan
Cross-Defendant	John Hughes

FILING DETAILS

Filed for	Samira Khan, Defendant and cross-claimant
Filed in relation to	Cross-claim
Contact name and telephone	Samira Khan, 0423 876 467
Contact email	s.khan@gmail.com

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RELIEF CLAIMED

That the cross-defendant pay the cross-claimant the amount claimed below.

Amount of claim \$3500

Interest \$87

Filing fees \$105

Service fees \$45

PLEADINGS AND PARTICULARS

1. On 10 March 2021, the cross-defendant was driving his car behind the cross-claimant, along Stacey Street in Bankstown.
2. The cross-claimant was travelling at the speed limit and slowed to stop at traffic lights.
3. The cross-defendant failed to stop in time and hit the rear of the cross-claimant's car.
4. The cross-claimant incurred \$3500 worth of damages to her vehicle, as a result of the cross-defendant's negligent driving.
5. The cross-claimant claims:
 - a. \$3500 in damages
 - b. interest according to section 100 of the *Civil Procedure Act 2005 (NSW)*, from 10 March 2021 to 18 September 2021.

NOTICE TO CROSS-DEFENDANT

If you do not file a defence, you will be bound by any judgment or order in the proceedings so far as it is relevant to this cross-claim.

HOW TO RESPOND

Please read this statement of cross-claim very carefully. If you have any trouble understanding it or require assistance on how to respond to the cross-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 cross-claim or part of the cross-claim**, by filing a defence and/or making a cross-claim.

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2. **If money is claimed, and you believe you owe the money claimed, by:**
 - paying the cross-claimant all of the money and interest claimed
 - filing an acknowledgment 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 cross-claimant 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.justice.nsw.gov.au/ or at any NSW court registry.

REGISTRY ADDRESS

Street address Cnr Chapel Road and The Mall
BANKSTOWN NSW 2200

Postal address PO Box 71
BANKSTOWN NSW 2200

Telephone 1300 679 272