No. 1

O. 99, r. 23(1)

NOTICE OF APPLICATION FOR ADJUDICATION OF COSTS (PARTY AND PARTY)

[Insert title of action, arbitration or as appropriate]

Costs awarded to A.B. as Plaintiff *[or as the case may be]* in the above-entitled proceedings

TAKE NOTICE that \*I/\*we as

\*the person in whose favour the order to pay costs has been made

\*the person who is the subject of the order to pay costs

hereby apply to a Legal Costs Adjudicator to adjudicate \*[the entire of the above bill of costs] \*[the items/Parts of the above bill of costs as marked on the attached bill of costs] which were received \*[by me] \*[by my solicitors] on …………………20……...

\*As the person in whose favour the order to pay costs has been made, I certify that I served a copy of the bill of costs on the person who is the subject of the order to pay costs with a request to agree the costs and the matters or items in the bill of costs on ………20... and the person who is the subject of the order to pay costs

\*has not disputed the bill of costs

\*disputed the bill of costs and the dispute could not be resolved in respect of \*all \*any of the disputed matters or items in the bill of costs.

\*As the person who is the subject of the order to pay costs, I certify that I have attempted to agree the bill of costs with the person in whose favour the order to pay costs has been made and

\*it has not been possible to reach agreement on any of the disputed matters or items in the bill of costs

\*agreement was reached on some but not all of the disputed matters or items in the bill of costs.

Dated …………………20……..

Signed…………………………………

of ………………………….…..

To: the Chief Legal Costs Adjudicator

And to…………………………………

of ………………………….…..

There are served with this notice of application:

(1) the bill of costs in the form prescribed indicating where any matter or item in the bill of costs has been agreed by the respondent;

(2) an indexed and paginated booklet containing copies (certified as true copies of the originals) of the vouchers, invoices and/or receipts in respect of every disbursement claimed in the bill of costs which has not been agreed, set out in the sequence in which they are referred to in the bill of costs and cross-referenced to the bill of costs;

\*(3) the following other records on which the applicant relies in support of/in opposition to the costs claimed, namely:…………………………………………………

(4) true copy of the order(s) of the Court; award(s) of the arbitrator(s) or other order or instrument by which the costs have been awarded or allowed, namely:…………………

\*delete where inapplicable

[**Office use only**]

The initial return date assigned to this application is …………………20…….. The application for adjudication must be served so as to allow 14 clear days to elapse between the day of service and the initial return date.

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