

## STATEMENT OF CLAIM

### COURT DETAILS

Court	Local Court
Division	Small Claims Division
Registry	Blacktown
Case number	

### TITLE OF PROCEEDINGS

[First] plaintiff	<b>Meena Vishwana</b>
[First] defendant	<b>Fiona Frame trading as Fantastic Florists</b>

### FILING DETAILS

Filed for	<b>Meena Vishwana, Plaintiff</b>
Contact name and telephone	Meena Vishwana 02 2222 1111
Contact email	meena.vishwana@chillmail.com

### TYPE OF CLAIM

[Select type of claim from the list provided in section 6 of the Guide to preparing documents, available on the UCPR website [www.ucprforms.justice.nsw.gov.au](http://www.ucprforms.justice.nsw.gov.au) by clicking on the link to Publications, or at any NSW court registry]

Mercantile Law - Sale of Goods and Services - Work done

[on separate page]

[Note: If the completed RELIEF CLAIMED will fit in the available space appearing after TYPE OF CLAIM on the first page of this form, you may delete the page break, include the RELIEF CLAIMED on the first page and start this page with PLEADINGS AND PARTICULARS.]

## RELIEF CLAIMED

1 That the defendant pay the plaintiff the total amount claimed below.

[If you are making a liquidated claim (ie claiming a specific amount of money), include the following information:]

Amount of claim	\$ 4,000.00
Interest	\$ 44.10
Filing fees	\$ 105.00
Service fees	\$ 45.00
Solicitors fees	\$ 0.00
TOTAL	\$ 4,194.10

## PLEADINGS AND PARTICULARS

1 In April 20xx in Blacktown NSW the plaintiff and defendant agreed that the plaintiff would maintain the defendant's website and provide IT support services for up to 20 hours per month at a fee of \$1,333.34 per month including GST starting from May 20xx.

2 The plaintiff provided these services to the defendant in the months of May, June and July 20xx.

3 The plaintiff issued an invoice to the defendant dated 10 August 20xx, payable within 30 days for services provided in the months of May, June and July 20xx.

4 The defendant has failed to pay the invoice. The total amount outstanding is \$4,000.

5 The plaintiff claims:

Debt of \$4,000.

Interest pursuant to section 100 *Civil Procedure Act 2005* from 10 September 20xx – 19 November 20xx.

## SIGNATURE

I acknowledge that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature	<i>Meena Vishwana</i>
Capacity	Plaintiff
Date of signature	19/11/20xx

## NOTICE TO DEFENDANT

**If you do not file a defence within 28 days of being served with this statement of claim:**

- **You will be in default in these proceedings.**
- **The court may enter judgment against you without any further notice to you.**

The judgment may be for the relief claimed in the statement of claim and for the plaintiff's costs of bringing these proceedings. The court may provide third parties with details of any default judgment entered against you.

## HOW TO RESPOND

**Please read this statement of claim very carefully. If you have any trouble understanding it or require assistance on how to respond to the 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](http://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 claim or part of the claim**, by filing a defence and/or making a cross-claim.
- 2 If money is claimed, and you believe you owe the money claimed**, by:
  - Paying the plaintiff all of the money and interest claimed. If you file a notice of payment under UCPR 6.17 further proceedings against you will be stayed unless the court otherwise orders.
  - Filing an acknowledgement 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 plaintiff 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](http://www.ucprforms.justice.nsw.gov.au) or at any NSW court registry.

**REGISTRY ADDRESS**

Street address	1 Kildare Road, Blacktown
Postal address	PO BOX 217 Blacktown NSW 2148
Telephone	02 9672 2610

[on separate page]

## **PARTY DETAILS**

### **PARTIES TO THE PROCEEDINGS**

#### **Plaintiff**

Meena Vishwana, Plaintiff

#### **Defendant**

Fiona Frame trading as Fantastic Florists,  
Defendant

## **FURTHER DETAILS ABOUT PLAINTIFF[S]**

### **Plaintiff**

Name	Meena Vishwana Unit 12 32 Campbell Street Blacktown NSW 2148
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### **Contact details for plaintiff acting in person or by authorised officer**

Address for service	as above
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[The filing party must give an address for service This must be an address in NSW unless the exceptions listed in UCPR 4.5(3) apply. State "as above" if the filing party's address for service is the same as the filing party's address stated above.]

Telephone	02 2222 1111
Fax	02 1111 2222
Email	meena.vishwana@chillmail.com

## **DETAILS ABOUT DEFENDANT[S]**

### **Defendant**

Name	Fiona Frame trading as Fantastic Florists
Address	Shop 7 Blacktown Mall 108 Black Street Blacktown NSW 2148

**SERVICE AND EXECUTION OF PROCESS REGULATIONS 1993 - SCHEDULE 1****Form 1**

(Section 16)

**[Service and Execution of Process Act 1992](#)****Notice to defendant**

Please read this notice and attached document very carefully. If you have any trouble understanding them you should get legal advice as soon as possible.

Attached to this notice is a Statement of Claim ("the attached process") issued out of the Local Court of NSW in Blacktown. Service of the attached process outside New South Wales is authorised by the **[Service and Execution of Process Act 1992](#)**.

**Your rights**

If a court of a State or Territory other than New South Wales is the appropriate court to determine the claim against you set out in the attached process, you may be able to have the proceeding stayed by applying to the Local Court of NSW at Blacktown.

If you think the proceeding should be stayed or transferred you should get legal advice as soon as possible.

**Contesting the claim**

If you want to contest this claim, you must take any action set out in the attached process as being necessary to contest the claim.

If you want to contest this claim, you must also file a defence in the Local Court of NSW at Blacktown. You have only 28 days after receiving the attached process to do so.

The defence must contain an address in Australia where documents can be left for you or sent to you.

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