**FORMAL OFFER**

[*SUPREME/DISTRICT/MAGISTRATES*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

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| **Lodging party** |  |  |
|  | **Party title**  | **Full name of party** |
| Name of law firm/office |  |  |
| **If applicable** | **Law firm/office** | **Responsible Solicitor** |
| Name of authorised officer |  |
| **If body corporate and no law firm/office** | **Full name** |

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| **Formal Offer** |
| 1. Offer made by the following parties (‘the Offeror’)**List the Party title and names**to the following parties (‘the Offeree’)**List the Party title and names**(collectively ‘the parties’).2. Offer to* settle the entire matter (all claims between the parties).
* settle only the
* claim
* counterclaim
* third party claim
* contribution notice
* appeal
* cross appeal
* notice of alternative contention
* other [*specify*]

between the parties.* settle part only of the
* claim
* counterclaim
* third party claim
* contribution notice
* appeal
* cross appeal
* notice of alternative contention
* other [*specify*]

between the parties, namely **Claim offered to be settled by reference to pleading or otherwise****Offer basis**3. This offer is* without prejudice save as to costs.
* an open offer.
* other [*specify basis*].

**Offer type**4. This offer is a* judgment offer.
* contract offer.

**Terms of Offer**5. The Offeror offers to* consent to judgment
* enter into an agreement

on the following terms:**Terms of judgment that would be entered/agreement that would be entered into if offer accepted in numbered paragraphs**1. 6. The offer is made on the terms that the* judgment
* agreement

include the following term as to costs:* the Offeree pay the costs of the Offeror
* on a party/party basis in respect of the period :
* on a solicitor/ client basis in respect of the period :
* on an indemnity basis in respect of the period :
* in the fixed amount of $[*amount*]
* the Offeror pay the costs of the Offeree
* on a party/party basis in respect of the period:
* on a solicitor/ client basis in respect of the period:
* on an indemnity basis in respect of the period :
* in the fixed amount of $[*amount*]
* the Offeror will submit to any order the Court may make in the exercise of its discretion.
* there be no order as to costs.
* [*specify other term*]

**If applicable**7. The offer is subject to the following conditions:**Conditions in numbered paragraphs**1. **Expiry of offer**8. This offer expires:* [*date or method by which expiry date is to be ascertained*]
* if and when withdrawn.

and in any event unless the Court otherwise orders will expire 7 clear calendar days before the first day of trial.…………………………………………Signature of party / solicitor (if represented)…………………………………………Name printed………………………….Date |

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| **Note to Parties**The offer must be either a judgment offer or a contract offer: see rule 132.4(1).If the offer is intended to be a “relevant offer” within the meaning of rule 132.10(1), it must comply with the definition of that term contained therein: see rule 132.10. |

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| **Service**The party filing this document is required to serve this document on all other parties in accordance with the Rules of Court. |

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| **Note to Offeree**If you do not wish to accept this offer but wish to make a counter offer, you are required to file and serve your own Formal Offer. |