**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. |