**FORMAL OFFER**

SUPREME / DISTRICT / MAGISTRATES **Circle 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** |
| **Mark appropriate sections below with an ‘x’**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 agreementon 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 $..........................[ ] 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 $..........................[ ] 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. |