

Form 43.10

Minute of Pre-Trial Meeting

IN THE COURT OF SESSION

Joint Minute of Pre-Trial Meeting

in the cause

[A.B.], Pursuer

against

[C.D.], Defender

[G.H.] for the pursuer and

[I.J.] for the defenders hereby state to the court:-

(1) That the pre-trial meeting was held in this case at (*place*) [*or* by video-conference] on (*date*).

(2) That the following persons were present:-

*(State names and designations of persons attending meeting).*

(2A) That the following persons were available to provide instructions by telephone:-

*(State names and designations of persons available to provide instructions by telephone);*

(3) That the persons present discussed settlement of the action.

(4) That the following questions were addressed:-

**Section 1**

		Yes	No
1.	Is the diet of proof or trial still required?		
2.	If the answer to question 1 is "yes", does the defender admit liability? (If "no", complete section 2.)		

	<p>If yes, does the defender plead contributory negligence?</p> <p>If yes, is the degree of contributory negligence agreed?</p> <p>If yes, state % degree of fault attributed to the pursuer;</p>		
3.	If the answer to question 1 is “yes”, is the quantum of damages agreed? (If “no”, complete section 3.)		

## Section 2

[To be inserted only if the proof or trial is still required.]

It is estimated that the hearing will last                      days.

*N.B. If the estimate differs from the number of days previously allocated for the proof or trial then this should be brought to the attention of the Keeper. This may affect prioritisation of the case.*

During the course of the pre-trial meeting, the pursuer called on the defender to agree certain facts, questions of law and matters of evidence.

Those calls, and the defender’s responses, are as follows:

Call	Response	
	Admitted	Denied
1.		
2.		
3.		
4.		

During the course of the pre-trial meeting, the defender called on the pursuer to agree certain facts, questions of law and matters of evidence.

Those calls, and the pursuer's responses, are as follows:-

Call	Response	
	Admitted	Denied
1.		
2.		
3.		
4.		

### Section 3

#### Quantum of Damages

Please indicate where agreement has been reached on an element of damages.

Head of Claim	Components	Not Agreed	Agreed At
<i>Solatium</i>	Past		
	Future		
Interest on past <i>solatium</i>	Percentage applied to past <i>solatium</i> (State percentage)		
Past wage loss	Date from which wage loss claimed		
	Date to which wage loss claimed  Rate of net wage loss (per week, per month or per annum)		
Interest on past wage loss			
Future wage loss	Multiplier		
	Multiplicand (showing how calculated)		
Past services	Date from which services claimed		
	Date to which services claimed		

	Hours per week services provided		
	Net hourly rate claimed		
Past personal services			
Interest on past necessary services			
Future necessary services	Multiplier		
	Multiplicand (showing how calculated)		
Future personal services	Multiplier		
	Multiplicand (showing how calculated)		
Needs and other expenses	Multiplier		
	Multiplicand (showing how calculated)		
Any other heads as appropriate (specify)			

IN RESPECT WHEREOF

*(Signed by counsel/solicitor advocate for each party)*