

Indicative Pricing

Section 1: CIVIL PROCEEDINGS (FAST TRACK, INTERMEDIATE TRACK & MULTI-TRACK):

TRACK	Financial Value of Claim	OSG Estimated costs 1 day Trial	OSG Estimated costs 2-3 day Trial	OSG Estimated costs of Trial over 3 days
Fast Track	£10,000 to £25,000	<p>Pre-action costs between £1,500 - £3,500 plus negotiations/narrowing issues, VAT & disbursements (see Note 1 below)</p> <p>Post-Issue costs to trial of over £21,750 plus negotiations, VAT & disbursements</p>		
Intermediate Track	£25,000 to £100,000	<p>Pre-action costs between £2,500 - £4,500, plus negotiations/narrowing issues, VAT & disbursements (see Note 2 below)</p> <p>Post-issue costs to trial of over £27,500 plus negotiations, VAT & Disbursements</p>	<p>Pre-action costs between £2,500 - £4,500, plus negotiations/narrowing issues, VAT & disbursements (see Note 2 below)</p> <p>Post-issue costs to trial of over £52,500 plus negotiations, VAT & Disbursements</p>	
Multi-Track	Over £100,000	<p>Pre-action costs between £4,000 - £7,000, plus negotiations/narrowing issues, VAT & Disbursements (see Note 3 below)</p>	<p>Pre-action costs between £4,000 - £7,000, plus negotiations/narrowing issues, VAT & Disbursements (see Note 3 below)</p>	<p>Pre-action costs between £4,000 - £7,000, plus negotiations/narrowing issues, VAT & Disbursements (see Note 3 below)</p>

		Post-issue costs to trial of over £60,000 plus negotiations VAT & Disbursements	Post-issue costs to trial of over £80,000 plus negotiations VAT & Disbursements	Post-issue costs to trial of over £100,000 plus negotiations VAT & Disbursements
<p>Note 1: Based on 5 – 10 hrs assistant/partner & 4 – 10 hrs para-legal and issue of proceedings within 3 months of instructions.</p> <p>Note 2: Based on 8– 14 hrs assistant/partner & 4-10 hrs para-legal and issue of proceedings within 3 months of instructions.</p> <p>Note 3: Based on 13 – 25 hrs assistant/partner & 8-10 hrs para-legal and issue of proceedings within 3 months of instructions</p>				

1. Part 8 Claims and claims in the Commercial Court, Technology and Construction Court and Circuit Commercial Court are automatically allocated to the Multi-Track. All other proceedings will be allocated to a Track at the discretion of the court and on the basis of the Financial Value of the Claim but also taking into account the nature of the remedy sought, the complexity of the facts, law and evidence, the number of parties or likely parties, the value of any counterclaim or other Part 20 claim and the complexity of any matters relating to it, the amount of witnesses likely to be called and the nature of their evidence, the importance of the claim to persons who are not parties to the proceedings, the parties views and their circumstances.
2. The court will assess the financial value of a claim for the purpose of allocation to a Track and in doing so, it will disregard any amount not in dispute, any claim for interest, costs, any contributory negligence and where the claim is or includes a claim for non-monetary damages, any amount specified under the *Civil Procedure Rules*. The court will then allocate the proceedings to one of four Tracks and, where applicable, assign the proceedings to a complexity band in the Fast Track and Intermediate Track.

Section 2

SMALL CLAIMS TRACK PROCEEDINGS (Claims under £10,000):

If your claim has a financial value of less than £10,000 (or a larger sum if the parties consent), the proceedings may be allocated to the Small Claims Track in which the "no solicitors costs" rule applies. This means that even if you win the case, the Court will not normally* order the other side to pay your solicitor's costs, except some nominal fixed costs which relate to the issue of your claim and which are limited. These fixed costs include the Court fee. The Court may also order the losing party to pay any expenses which you or your witnesses have reasonably incurred in travelling to and from the hearing, a sum in respect of loss of earnings for both you and any witnesses incurred in connection with attending the hearing (up to £50.00 for each person) and a sum for any expert's fees (up to £200.00 for each expert). That means if you lose the case, you will not normally be ordered to pay the other side's costs. Please note that it may not be economic for us to be instructed in relation to all stages of a case allocated to the Small Claims Track although it may be economic for us to be instructed in relation to *certain stages*.

*There are some situations when the Court could order you or the other side to pay any solicitors costs incurred in relation to small claims proceedings. These include, inter alia, any costs assessed by the Court if any of the parties have behaved unreasonably or potentially if a contract obliges one party to indemnify the other for any costs of legal action for breach of the contract or enforcement of the contract terms.

Section 3

DEBT RECOVERY

We offer fixed fees for recovery of debts under £10,000.

Section 4

ENFORCING YOUR JUDGMENT

1. Following obtaining a Court Order for payment of your costs and if the other side does not pay within the timeframe set, enforcement proceedings may be required in relation to the recovery of your legal costs and disbursements, meaning additional work would also need to be carried out and further legal costs incurred in relation to enforcement of the Order. These further enforcement costs may not be recoverable from the other side except some fixed costs which would be ordered by the Court and which are limited.
2. If your debtor fails to pay you following a Court Order, you may need to enforce your Judgment to recover the monies due to you together with interest and costs. Please note that we do offer fixed fees for Enforcement proceedings

Section 5

RESIDENTIAL POSSESSION PROCEEDINGS

1. If the possession proceedings are undefended and an order is made for possession under the accelerated process (section 21 notice) or on the standard process (section 21 or section 8 notice), the Court will generally only order the Tenant to pay the fixed costs of the claim which are very limited (generally under £100.00) together with the Court issue fee. Our charges payable by you are calculated on a time basis in accordance with our estimated fees and will exceed the fixed costs allowed by the court.
2. The possession proceedings will usually be listed for hearing to decide the claim. If the possession proceedings are defended, the Court will use the hearing to give case management directions. Where the claim is genuinely disputed on grounds which appear to be substantial, the case management directions will include the allocation of the claim to a Track (usually the Fast Track or the Intermediate Track) and directions of the defended claim will be ordered to trial. Further costs would be incurred in any defended possession proceedings.

3. Provided you succeed in those proceedings and obtain a possession order, then subject to the discretion of the Judge, a costs contribution may be claimed and ordered to be paid by the other party but those costs may be restricted in accordance with the Schedule of Fixed Recoverable Costs which the Court will allow. There is therefore likely to be a shortfall between the costs incurred and the costs ordered to be paid by the other party and there are often difficulties in relation to the enforcement of Orders against Tenants particularly if the Tenant is impecunious or receives legal representation through Legal Aid.