

Notice of Proposed Allocation to the Small Claims Track

Spratt Endicott (1672)
53-54 The Green
Banbury
Oxon
OX16 9AB
24204 BANBURY 1

26 AUG 2022

In the County Court at Nuneaton	
Claim Number	J3CJ39F1
Claimant (including ref.)	Cherwell Electrical Supplies Ltd 117392.032
Defendant (including ref.)	David Jones T/a Electrical & Plumbing Services
Date	24 August 2022



Important Notice

If you do not comply with this notice the court will make such order as appears to be appropriate. This could include striking out the claim or entering judgment.

TAKE NOTICE THAT

1. This is now a defended claim.

The defendant has filed a defence, a copy of which is enclosed.

2. It appears that this case is suitable for allocation to the small claims track.

If you believe that this track is not the appropriate track for the claim, you must complete box C1 on the Small Claims Directions Questionnaire (Form N180) and explain why.

3. You must by 12 September 2022 complete the Small Claims Directions Questionnaire (Form N180) and file it with the court office

the County Court at Nuneaton, Warwickshire Justice Centre, Po Box 3878, Vicarage Street, Nuneaton,
CV11 4WX.

and serve copies on all other parties.

NOTES FOR GUIDANCE

- (i) The Directions Questionnaire can be downloaded from hmctsformfinder.justice.gov.uk
- (ii) Further information on fees is available in the leaflet EX50 from hmctsformfinder.justice.gov.uk

The court office at the County Court at Nuneaton, Warwickshire Justice Centre, Po Box 3878, Vicarage Street, Nuneaton, CV11 4WX. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 03001235577 (8:30-17:00) Fax: 01264 347978. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Defence

J3CJ39F1

I have been overcharged by Cherwell Electrical on two recent invoices, DN0013509 and DN0013612.

I have advised Cherwell Electrical of this by email many times, my emails have been ignored. On talking with Cherwell Electrical my emails were received by them, but not actioned.

Details

Sales Invoice No. DN0013509

Line 8, 2 gang box, quantity 10, I was quoted £1.25 each, I was charged £2.45 each

Line 9, 10 & 11, 2.5mm blue, brown and green/yellow cable, I was supplied with standard cable, but charged for LSZH, which is a low smoke cable. The price for standard cable is £11.60each, I was charged £24.97each for LSZH.

Sales Invoice No. DN0013612

Line 1, metal clad double switched sockets, quantity 5, I was quoted £6.40 each, but charged £17.13 each.

Line 2, side cutters, I was told these would cost less than £20.00each, I was charged £28.29 each

Statement of Truth

I believe that the facts in this sheet are true.



David Jones, Defendant.

Directions questionnaire (Small Claims Track)

In the Nuneaton County Court	Claim No. J3CJ39F1
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To be completed by, or on behalf of,

Cherwell Electrical Supplies LTD

who is ☒ ^{1st} ☒ ^{2nd} ☒ ^{3rd} ☐ ^{4th} ☐ ^{5th} ☐ ^{6th} ☐ ^{7th} ☐ ^{8th} ☐ ^{9th} ☐ ^{10th} ☐ ^{11th} ☐ ^{12th} ☐ ^{13th} ☐ ^{14th} ☐ ^{15th} ☐ ^{16th} ☐ ^{17th} ☐ ^{18th} ☐ ^{19th} ☐ ^{20th} ☐ ^{21st} ☐ ^{22nd} ☐ ^{23rd} ☐ ^{24th} ☐ ^{25th} ☐ ^{26th} ☐ ^{27th} ☐ ^{28th} ☐ ^{29th} ☐ ^{30th} ☐ ^{31st} ☐ ^{32nd} ☐ ^{33rd} ☐ ^{34th} ☐ ^{35th} ☐ ^{36th} ☐ ^{37th} ☐ ^{38th} ☐ ^{39th} ☐ ^{40th} ☐ ^{41st} ☐ ^{42nd} ☐ ^{43rd} ☐ ^{44th} ☐ ^{45th} ☐ ^{46th} ☐ ^{47th} ☐ ^{48th} ☐ ^{49th} ☐ ^{50th} ☐ ^{51st} ☐ ^{52nd} ☐ ^{53rd} ☐ ^{54th} ☐ ^{55th} ☐ ^{56th} ☐ ^{57th} ☐ ^{58th} ☐ ^{59th} ☐ ^{60th} ☐ ^{61st} ☐ ^{62nd} ☐ ^{63rd} ☐ ^{64th} ☐ ^{65th} ☐ ^{66th} ☐ ^{67th} ☐ ^{68th} ☐ ^{69th} ☐ ^{70th} ☐ ^{71st} ☐ ^{72nd} ☐ ^{73rd} ☐ ^{74th} ☐ ^{75th} ☐ ^{76th} ☐ ^{77th} ☐ ^{78th} ☐ ^{79th} ☐ ^{80th} ☐ ^{81st} ☐ ^{82nd} ☐ ^{83rd} ☐ ^{84th} ☐ ^{85th} ☐ ^{86th} ☐ ^{87th} ☐ ^{88th} ☐ ^{89th} ☐ ^{90th} ☐ ^{91st} ☐ ^{92nd} ☐ ^{93rd} ☐ ^{94th} ☐ ^{95th} ☐ ^{96th} ☐ ^{97th} ☐ ^{98th} ☐ ^{99th} ☐ ^{100th} ☐ 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C Track

- C1** Do you agree that the small claims track is the appropriate track for this case?

☒ Yes

☐ No

If No, say why not and state the track to which you believe it should be allocated

Notes

Track

The small claims track – generally for lower value and less complex claims with a value under £10,000. You can get more information by reading leaflet EX306 'The small claims track in civil courts'. You can get this leaflet online from hmctsformfinder.justice.gov.uk

D About the hearing

Hearing venue

- D1** At which County Court hearing centre would you prefer the small claims hearing to take place and why?

Expert evidence

- D2** Are you asking for the court's permission to use the written evidence of an expert?

☐ Yes

☒ No

If Yes, state why and give the name of the expert (if known) and the area of expertise and the likely cost if appointed.

Witnesses

- D3** How many witnesses, including yourself, will give evidence on your behalf at the hearing?

1

Hearing

- D4** Are there any days within the next six months when you, an expert or a witness will not be able to attend court for the hearing?

☐ Yes

☒ No

If Yes, please give details

	Dates not available
Yourself	
Expert	
Other essential witness	

Will you be using an interpreter at the hearing either for yourself or for a witness?

☐ Yes

☒ No

If Yes, please specify the type of interpreter

Location

If your claim is a designated money claim the case will usually be transferred to the claimants preferred court or the defendants home court as appropriate. However, there is no guarantee of transfer to this court. For further information see CPR Parts 3, 12, 13, 14 and 26.

Expert evidence

The court must grant you permission to use an expert witness. Your notice of allocation will tell you if permission has been granted. Please note the upper limit for experts' fees that can be recovered is £750. You can get more information by reading leaflet EX306 'The small claims track in civil courts'. You can get this leaflet online from hmctsformfinder.justice.gov.uk

Witnesses

Witnesses may be asked to give evidence by either party. The court needs to have notice that you intend to call a witness. Witness expenses for travel accommodation and loss of earning should be met by the party requesting their attendance. You can get more information by reading EX342 'Coming to a court hearing'. You can get this leaflet online from hmctsformfinder.justice.gov.uk

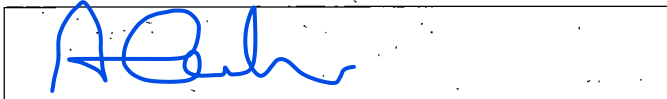
Hearing

Dates to avoid: You should enter those dates where you, your expert or an essential witness will not be able to attend court because of a holiday or other commitments.

Interpreters: In some circumstances the court will arrange for, and meet the cost of an interpreter. If you require an interpreter, you should contact the court immediately. Further details visit our website www.justice.gov.uk under 'guidance'.

Signature

You must sign this form



[Legal representative for the] [1st] [2nd] [3rd] [
[Claimant] [Defendant] [Part 20 claimant]

Once you have completed this form please return it to the court at the address shown on
the form N149A, notice of proposed allocation to Small Claims Track