FORM 10

In the Petty Debts Court

BETWEEN   **[Click and type name]**   **PLAINTIFF**

AND   **[Click and type name]**   **DEFENDANT**

ANSWER AND COUNTERCLAIM

IN ANSWER AND AS A COUNTERCLAIM to the Statement of Claim of .... ("the Plaintiff"), ... ("the Defendant") WILL SAY as follows:

1.   THAT paragraph 1 of the statement of claim is [*agreed/disputed*]. [*If disputed set out why.*]

2.   [*Repeat for each paragraph of the statement of claim whether that paragraph is agreed or disputed. For any part that is disputed set out why*].

AND the Defendant REQUESTS that the action be dismissed and the Plaintiff be condemned to pay the costs of and incidental to the action.

COUNTERCLAIM

1.   The Defendant repeats paragraphs 1 – [ ] of its answer.

EITHER

2.   *If the Counterclaim is based on an agreement, set out the terms of the agreement.*

3.   *Set out whether the agreement was in writing or oral.*

4.   *If the agreement was in writing identify all written documents which you say contain the agreement.*

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5. *If the agreement was oral, set out all conversations when you reached agreement, who took part and a summary of what was said.*

6. *Set out what you say the Plaintiff should have done under the agreement.*

7. *Set out what the Plainitff either did not do, or did incorrectly, describing the key events in date order.*

8. *Set out what loss you claim identifying each category of loss.*

OR

2. *Set out the key events in date order concerning your counterclaim.*

3. *Set out why the Plaintiff is responsible for what happened.*

4. *Set out all the Plaintiff's' actions which you say were incorrect.*

5. *Set out anything that the Plaintiff did not do that the Plaintiff should have done.*

6. *Set out what loss you claim identifying each category of loss.*

And the Defendant counterclaims £…………….

AND the Defendant seeks an order that:-

- The Plaintiff's claim be dismissed.
- The Defendant's Counterclaim be granted.
- The Defendant be awarded interest on the Counterclaim in such amount as the Court shall deem fit.
- The Defendant be awarded costs.

Dated this [   ]day of [   ] 20[ ]