

**IN THE HIGH COURT OF JUSTICE**

**QUEEN'S BENCH DIVISION**

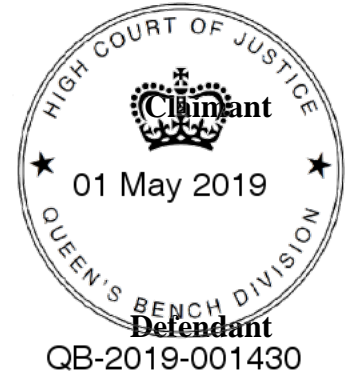
**MEDIA AND COMMUNICATIONS LIST**

**BETWEEN:**

**CRAIG WRIGHT**

**and**

**PETER MCCORMACK**



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**PARTICULARS OF CLAIM**

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**Parties and background**

1. The Claimant is a computer scientist and businessman based in England and Wales. He is highly active within the cryptocurrency sphere, running a number of cryptocurrency and blockchain businesses.
2. The Defendant is a podcaster and a blogger who specialises in publishing content about news and other developments in bitcoin and associated cryptocurrencies. He regularly publishes podcasts and blogs about cryptocurrency on his website, "What Bitcoin Did" (accessible here: <https://www.whatbitcoindid.com/>).
3. The Defendant has a public account on the social media platform Twitter. His account, @PeterMcCormack (accessible here: <https://twitter.com/PeterMcCormack>) was set up in August 2017. The Defendant is an extremely active user of Twitter, having posted around 12,500 tweets on the platform. The Defendant uses his Twitter account to tweet about news and other developments in bitcoin and associated cryptocurrencies. The account currently has around 57,500 followers and, pending

disclosure of relevant metrics, the inference will be invited that at the same time the words complained of below were published, the Defendant had a similar number of followers.

### **The First Publication**

4. On 29 March 2019 at 8:17 pm the Defendant first published a tweet (“*The First Publication*”). The First Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1111724006040842246>. In the First Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

“[retweet of a tweet by @CalvinAyre]:

*Calvin Ayre @CalvinAyre March 29*

*Craig has started filing lawsuit against those falsely denying he is Satoshi....they can all have a day in court to try to prove their fake case but the judge will rule that Craig invented Bitcoin because he did and he can prove it.*

[retweet of a tweet by @CalvinAyre]:

*Calvin Ayre @CalvinAyre*

*yup...Dr Craig Wright is Satoshi Nakamoto...and #BSV is the only real #Bitcoin. All others are attacking Craig to sell their dysfunctional snake oil crypto products. Craig has proven this to me directly in a number of ways.”*

...

[tweet by the Defendant]:

*Replying to@ Calvin Ayre*

*Can I go first?*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi*

*Craig Wright is not Satoshi”*

5. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

#### **PARTICULARS OF INNUENDO**

5.1. The individual, or group of individuals behind the pseudonym Satoshi Nakamoto (“Satoshi”) is/are generally accepted within the bitcoin and cryptocurrency community as the original creator, or one of the original creators, of the cryptocurrency bitcoin.

5.2. This would have been known to a substantial but unquantifiable number of unidentifiable readers of the First Publication, and these readers would have understood the words complained of herein to bear the meaning set out above.

#### **The Second Publication**

6. On 10 April 2019 1:47 pm the Defendant first published a tweet (“*The Second Publication*”). The Second Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1115959436898709509>. In the Second Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

“[retweet of a tweet by @CalvinAyre]:

*Calvin Ayre @CalvinAyre Apr 10*

[photograph of the Claimant in a group]

*Craig and I polishing our muskets at today's Troll Hunting meeting in London.  
#CraigisSatoshi.*

...

[tweet by the Defendant]:

*Replying to @CalvinAyre*

*"Craig Wright is not Satohis! [sic]*

*When do I get sued?"*

7. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

7.1.Paragraph 5.1 above is repeated.

7.2.On and prior to 10 April Calvin Ayre had made it publicly known that the Claimant was intending to bring proceedings for libel against individuals who had alleged on Twitter that the Claimant had fraudulently claimed to be Satoshi.

7.3.The photograph which featured in the Second Publication was of the Claimant, Calvin Ayre and a group of lawyers. The reference to '*Troll Hunting*' in the Second Publication was a reference to the pursuit by means of libel proceedings of those who had 'trolled' the Claimant on Twitter by accusing him of falsely claiming to be Satoshi Nakamoto.

7.4.These facts and matters would have been known in part or in full to a substantial but unquantifiable number of unidentifiable readers of the Second Publication.

Such readers would have understood the words complained of herein to bear the meaning set out above.

### **The Third Publication**

8. On 10 April 2019 at 10:23 pm the Defendant first published a tweet (“*The Third Publication*”). The Third Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1116089341946863616>. In the Third Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*“Dear @CalvinAyre,*

*I would like to formally state that:*

*1. Craig Wright is not Satoshi*

*2. Craig Wright is a fraud*

*3. I hope as many people ReTweet this as possible*

*Please send legal correspondence to 5 Goldington Road*

*Bedford*

*Bedfordshire*

*MK40 3JY*

*UK*

*Regards*

*Peter”*

9. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

9.1.Paragraphs 5.1 and 7.2 above are repeated.

9.2. These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Third Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Fourth Publication**

10. On 12 April 2019 at 2:16 pm the Defendant first published a tweet (“*The Fourth Publication*”). The Fourth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1116691603027001344>. In the Fourth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*“@CalvinAyre mate, that is over 1k RTs and 2.3k likes, I demand my lawsuit....  
... but you aren’t going to do it are you? You are just trying to bully people into  
silence with empty threats.*

*Craig wright it [sic] a fraud, bring it or go jogging!*

*Peter McCormack @Peter McCormack*

*“Dear @CalvinAyre,*

*I would like to formally state that:*

- 1. Craig Wright is not Satoshi*
- 2. Craig Wright is a fraud*
- 3. I hope as many people ReTweet this as possible*

*Please send legal correspondence to 5 Goldington Road*

*Bedford*

*Bedfordshire*

*MK40 3JY*

*UK*

*Regards*

*Peter”*

11. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

11.1.Paragraphs 5.1 and 7.2 above are repeated.

11.2.These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Fourth Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Fifth Publication**

12. On 12 April 2019 at 5:04 pm, 12 April 2019 at 5:04 pm, and 12 April 2019 at 5:15 pm respectively, the Defendant first published a series of tweets (“*The Fifth Publication*”). The Fifth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1116733748794540033>. In the Fifth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*“1/So I got my letter from Craig Wright and @Calvin Ayre. This is what they are sending out to people, now you can all see.*

*I absolutely reject their requirements.*

*(PS I don’t recommend anyone else does this).*

*[Photograph of a legal letter sent by the Claimant’s solicitors sent on 12 April 2019]*

*2/I believe that claiming to be Satoshi and promoting a fake version of bitcoin is fraudulent. I believe this is in the public interest.*

*Let’s go to court.*

*Before any claims of virtue signalling or clout... I'm doing this because it is the right thing to do. I've lost everything before and if I lose it again, so what. BSV is a fake Bitcoin run by frauds.*

*Fuck them!"*

13. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

13.1.Paragraphs 5.1 and 7.2 above are repeated.

13.2.These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Fifth Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Sixth Publication**

14. On 12 April 2019 at 7:28 pm the Defendant first published a tweet ("*The Sixth Publication*"). The Sixth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1116770179633963008>. In the Sixth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*"I was right to allege Craig Wright fraudulently claimed to be Satoshi. I DO NOT accept he is Satoshi. I am not sorry Dr Wright (are you even a Doctor?) I will repeat this."*



15. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

15.1.Paragraph 5.1 above is repeated.

15.2.These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Sixth Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Seventh Publication**

16. On 14 April 2019 at 4:25 pm the Defendant first published a tweet (“*The Seventh Publication*”). The Seventh Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1117448742892986368>. In the Seventh Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*“My formal response to the letter issued by the lawyers of Craig Wright and @Calvin Ayre. This was sent today. We look forward to resolving this quickly and efficiently.*

*Dear Sirs,*

*I confirm receipt of your letter regarding Craig Wright, who in my professional opinion is definitely not the person behind the pseudonym Satoshi Nakamoto.*

*I have taken legal advice. The claim is so vexatious I now have 15 lawyers who are willing to represent me on a pro bono basis.*

*In answer to your question, my real name is Peter McCormack and I am the person behind the pseudonym The King of Bedford.*

*Under my handle @petermccormack, I Peter McCormack [...] have posted accurately that Craig Wright is a fraud with the interest of protecting investors from investing money in his fake Bitcoin SV under the belief that this is Satoshi's Vision. This is definitely not in my opinion Satoshi's vision.*

*As readers of my Twitter know, Craig Wright is a fraud in relation to his claims that he is "Satoshi," this information has been in the public domain for many years before I started sharing it. I find it difficult to understand how I can affect the reputation of your client; this mistakenly states that he has any reputation left. It is highly arguable when reading information about him he does not.*

*For reference, if you Google "Craig Wright is a Fraud" there are currently 6,330,000 results. While we can allow for a margin of error, where there is smoke, there is usually fire, and here there is enough fire to make Mordor feel like a holiday in Iceland.*

*Your client has repeatedly and fraudulently claimed to be Satoshi Nakamoto. He did not play an integral part in the development of Bitcoin: it is highly questionable that he can in fact code. He did not produce the report 'Bitcoin: a peer-to-peer- Electronic Cash System in October 2008.' He did not send the first Bitcoin to Hal Finney in January 2009 and did not play an integral part in the development of Bitcoin. He may have explained his role in detail on previous occasions. However, anyone can do this, look, 'Hey, I Peter McCormack am Satoshi Nakamoto, I created Bitcoin.' See, I just did it.*

*I believe Craig Wright to be a con man.*

*[...]*

*Please also let your client [sic] I have my own requirements:*

[...]

2. *His undertaking to delete all online publications where he fraudulently claims that he is Satoshi Nakamoto;*

3. *His undertaking not to repeat these fraudulent claims;*

[...]

5. *His agreement to join in a statement to an open court in which he apologises for and acknowledges the falsity of his claims;*

[...]

*Everyone he has defrauded with his false claims is plainly entitled to substantial damages in respect of his fraudulent claims.*

[...]

*Apology to everyone involved in Bitcoin*

*I was wrong to fraudulently claim that I Craig Wright to be Satoshi Nakamoto. I accept that I am not Satoshi. I am sorry. I will not repeat this fraudulent claim.”*

17. In their natural and ordinary meaning the words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

18. In the alternative, by way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

## PARTICULARS OF INNUENDO

18.1.Paragraph 5.1 above is repeated.

18.2.These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Seventh Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Eighth Publication**

19. On 15 April 2019 at 8:29 pm the Defendant first published a tweet (*"The Eighth Publication"*). The Eighth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1117872560278925312>. In the Eighth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*"Replying to @CalvinAyre*

*You can double down as much as you like...or...try and understand why nobody supports you, everyone thinks Craig is a fraud and exchanges are delisting you.*

*He is not Satoshi.*

*There is no conspiracy.*

*You are just sitting on the wrong side of history."*

20. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

## PARTICULARS OF INNUENDO

20.1.Paragraphs 5.1 and 7.2 above are repeated.

20.2. These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Eighth Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

20.3. Further or alternatively readers of the Eighth Publication would have read the Seventh Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Ninth Publication**

21. On 16 April 2019 at 11:53 am the Defendant first published a tweet (*"The Ninth Publication"*). The Ninth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1118105056811933696>. In the Ninth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

“[retweet of a tweet by @CalvinAyre]:

*Calvin Ayre @CalvinAyre Apr 15*

*And it does not change anything. Craig is Still Satoshi, Real #BitcoinSV is still superior technology and Craig is still going to court to prove his legacy....and the market will recover.*

[tweet by Defendant]:

*When are we going to court? You said I would hear from your solicitors yesterday and I was rather disappointed that I didn't. Also, as you are in London, have you the naughts to do an interview with me?*

...

[retweet of a tweet by @AndyTurner]:

*If everything is in the hands of lawyers then there's no way you'd be getting an interview. You're going to have to wait & see Peter. But, you said you've got 15 lawyers offering their services - aren't they dissuading you from escalating this?*

[tweet by Defendant]:

*There are different opinions. The only ones who dissuade are because of time and cost. I can't explain how much I want this to go to court. Craig Wright will lose as we have a mountain of evidence that he is a fraud and is not Satoshi.*

[retweet of a tweet by @AndyTurner]:

*Ok. But then there's evidence & then there's legally admissible evidence. Courts work in mysterious ways. For most of us it's #popcorn time.*

[tweet by Defendant]:

*I am not worried in the slightest.*

[retweet of a tweet by @Crypto Law review]:

*Look, is this a publicity play for you? If so, even that can be messaged way better than whatever is emerging. Just by way of objective & impartial \*constructive\* critique, the optics are not good. Not in the least. You're winning this battle, but losing the #cryptolaw war.*

[tweet by Defendant]:

*Replying to@CryptoLawRev @AndyTurner*

*I am happy with this. Let's go to court and prove once and for all that he is a liar and a fraud. Craig Wright is not Satoshi.”*

22. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

## **PARTICULARS OF INNUENDO**

22.1.Paragraph 5.1 is repeated.

22.2.These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Ninth Publication and these

readers would have understood the words complained of herein to bear the meaning set out above.

22.3. Further or alternatively readers of the Ninth Publication would have read the Seventh Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **The Tenth Publication**

23. On 16 April 2019 at 8:52 am the Defendant first published a tweet (*“The Tenth Publication”*). The Tenth Publication remains online and is accessible via the following url: <https://twitter.com/PeterMcCormack/status/1118059501431791616>. In the Tenth Publication the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*“There are different opinions. The only ones who dissuade are because of time and cost.*

*I can't explain how much I want this to go to court. Craig Wright will lose as we have a mountain of evidence that he is a fraud and is not Satoshi”*

24. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

### **PARTICULARS OF INNUENDO**

24.1. Paragraphs 5.1 and 7.2 above are repeated.

24.2. These facts and matters would have been known to a substantial but unquantifiable number of unidentifiable readers of the Tenth Publication and these readers would have understood the words complained of herein to bear the meaning set out above.

### **Serious Harm, damage and remedies**

25. For the purposes of section 1(1) of the Defamation Act 2013, the publication of the words referred to at paragraphs 4, 6, 8, 10, 12, 14, 16, 19, 21 and 23 above have caused and/or was likely to cause serious harm to the reputation of the Claimant. Without limiting the generality of the averment, the Claimant will contend that it is a matter of obvious inference having regard to the words referred to at paragraphs 4, 6, 8, 10, 12, 14, 16, 19, 21 and 23 but in support of his case on this point the Claimant will rely, if necessary, on the following facts and matters:

25.1. The imputations complained of are inherently serious in terms of their propensity to cause harm to the reputation of the Claimant, and the probability is that publication of such imputations in relation to the Claimant would have this result. They go to the heart of his personal reputation for honesty and ethical conduct and, given his involvement within the cryptocurrency industry, to the heart of his professional reputation. No retraction or apology has been published, and so readers of the tweets complained of continue to believe that the Claimant is guilty of the conduct alleged.

25.2. The publications complained of were widely published to any internet user, without subscription or registration. In this regard paragraph 3 is repeated. Therefore, pending disclosure of the relevant statistics, the inference will be invited that a very substantial number of readers viewed the publications.

25.3. Furthermore, given the seriousness of the allegations made in the publications complained of, the forum the publications were made in, and the Defendant's express averments in respect of the publications, republication of the publication complained of and the allegations complained of therein was reasonably foreseeable and the Defendant is responsible in law for all such republications. The publications have been published extraordinarily widely. By way of example:

25.3.1. The Third Publication was retweeted over 1,200 times, and liked over 2,800 times by other Twitter users.

25.3.2. The Fifth Publication was retweeted over 850 times, and liked over 3,500 times by other Twitter users.



25.3.3. The Seventh Publication was retweeted over 1,900 times, and liked over 8,600 times by other Twitter users.

25.4. The Claimant will also rely on the grapevine effect.

26. In addition to the serious harm caused to his reputation by the publication and republication of the publications complained of, the Claimant has suffered considerable distress and embarrassment. In support of his claims for general and/or aggravated damages for libel, the Claimant will rely upon the following facts and matters:

26.1. Paragraphs 25.1 to 25.4 are repeated.

26.2. The publications complained of at paragraphs 4, 6, 8, 10, 12, 14, 16, 19, 21 and 23 have made by the Defendant as part of a campaign to undermine and invalidate the Claimant's attempts to vindicate his reputation in the courts of England and Wales via legal proceedings.

27. In respect of damage to his reputation, the Claimant claims in respect of the entirety of the damage suffered throughout the EU and brings his claim in in the courts of England and Wales on the grounds that both Claimant and Defendant are domiciled here and that England and Wales is where the Claimant's centre of interest lies.

28. Unless a suitable undertaking is provided by the Defendant that he will not repeat or republish the words complained of or any similar allegations defamatory of the Claimant, the Claimant will seek an injunction to restrain further publication or republication.

AND the Claimant claims:

- (1) Damages, including aggravated damages, for libel;
- (2) An injunction to restrain the Defendant whether by himself or otherwise howsoever from further publishing, causing, authorising or procuring the publications of the allegations complained of or similar allegations defamatory of the Claimant.

- (3) An order under Section 12 of the Defamation Act 2013 that the Defendant publishes a summary of the judgment in the proceedings.

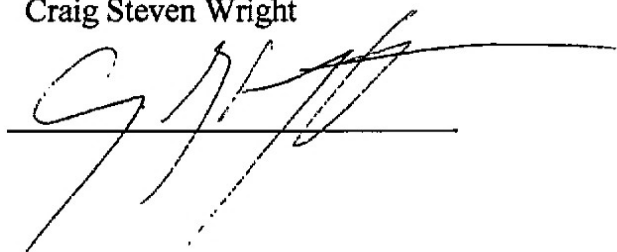
**ADAM WOLANSKI QC**  
**ALED JONES**

**STATEMENT OF TRUTH**

I believe that the facts stated in these Particulars of Claim are true.

Full name: Craig Steven Wright

Signed:

A handwritten signature in black ink, appearing to be 'C. Wright', written over a horizontal line.

Served this 1st day of May 2019 by SCA ONTIER LLP, Halton House, 20-23 Holborn, London EC1N 2JD, Solicitors for the Claimant.

# Notes for defendant on replying to the claim form

**Please read these notes carefully - they will help you decide what to do about this claim.**

**Further information may be obtained from the court in a series of free leaflets**

- If this claim form was received with the particulars of claim completed or attached, you must reply within 14 days of the date it was served on you. If the words 'particulars of claim to follow' are written in the particulars of claim box, you should not reply until after you are served with the particulars of claim (which should be no more than 14 days after you received the claim form). If the claim was sent by post, the date of service is taken as the second business day after posting (see post mark). If the claim form was delivered or left at your address the date of deemed service will be the second business day (see CPR rule 6.14) after delivery.
- You may either:
  - pay the total amount i.e. the amount claimed, the court fee, and solicitor's costs (if any)
  - admit that you owe all or part of the claim and ask for time to pay, or
  - dispute the claim
- If you do not reply, judgment may be entered against you.
- The notes below tell you what to do.
- The response pack will tell you which forms to use for your reply. (The pack will accompany the particulars of claim if they are served after the claim form).
- Court staff can help you complete the forms of reply and tell you about court procedures. But they cannot give legal advice. If you need legal advice, for example about the likely success of disputing the claim, you should contact a solicitor or a Citizens Advice Bureau immediately.

**Registration of Judgments:** If this claim results in a judgment against you, details will be entered in a public register, the Register of Judgments, Orders and Fines. They will then be passed to credit reference agencies which will then supply them to credit grantors and others seeking information on your financial standing. **This will make it difficult for you to get credit.** A list of credit reference agencies is available from Registry Trust Ltd, 173/175 Cleveland Street, London W1T 6QR.

**Costs and Interest:** Additional costs and interest may be added to the amount claimed on the front of the claim form if judgment is entered against you. In a county court, if judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or statutory interest for late payment, the claimant may be entitled to further interest.

## Your response and what happens next

### How to pay

Do not bring any payments to the court - they will not be accepted.

When making payments to the claimant, quote the claimant's reference (if any) and the claim number.

Make sure that you keep records and can account for any payments made. Proof may be required if there is any disagreement. It is not safe to send cash unless you use registered post.

### Admitting the Claim

#### Claim for specified amount

**If you admit all the claim,** take or send the money, including the court fee, any interest and costs, to the claimant at the address given for payment on the claim form, within 14 days.

**If you admit all the claim and you are asking for time to pay,** complete Form N9A and send it to the claimant at the address given for payment on the claim form, within 14 days. The claimant will decide whether to accept your proposal for payment. If it is accepted, the claimant may request the court to enter judgment

against you and you will be sent an order to pay. If your offer is not accepted, the court will decide how you should pay.

**If you admit only part of the claim,** complete Form N9A and Form N9B (see 'Disputing the Claim' overleaf) and send them to the court within 14 days. The claimant will decide whether to accept your part admission. If it is accepted, the claimant may request the court to enter judgment against you and the court will send you an order to pay. If your part admission is not accepted, the case will proceed as a defended claim.

#### Claim for unspecified amount

**If you admit liability for the whole claim but do not make an offer to satisfy the claim,** complete Form N9C and send it to the court within 14 days. A copy will be sent to the claimant who may request the court to enter judgment against you for an amount to be decided by the court, and costs. The court will enter judgment and refer the court file to a judge for directions for management of the case. You and the claimant will be sent a copy of the court's order.

**If you admit liability for the claim and offer an amount of money to satisfy the claim,** complete Form N9C and send it to the court within 14 days. The claimant will be sent a copy and asked if the offer is acceptable. The claimant must reply to the court within 14 days and send you a copy. If a reply is not received, the claim will be stayed. If the amount you have offered is **accepted** -

- the claimant may request the court to enter judgment against you for that amount.
- if you have requested time to pay which is not accepted by the claimant, the rate of payment will be decided by the court.

If your offer in satisfaction is **not accepted** -

- the claimant may request the court to enter judgment against you for an amount to be decided by the court, and costs; and
- the court will enter judgment and refer the court file to a judge for directions for management of the case. You and the claimant will be sent a copy of the court's order.

## Disputing the claim

**If you are being sued as an individual for a specified amount of money and you dispute the claim,** the claim may be transferred to a local court i.e. the one nearest to or where you live or carry on business if different from the court where the claim was issued.

**If you need longer than 14 days to prepare your defence or to contest the court's jurisdiction to try the claim,** complete the Acknowledgment of Service form and send it to the court within 14 days. This will allow you 28 days from the date of service of the particulars of claim to file your defence or make an application to contest the court's jurisdiction. The court will tell the claimant that your Acknowledgment of Service has been received.

**If the case proceeds as a defended claim,** you and the claimant will be sent a Directions Questionnaire. You will be told the date by which it must be returned to the court. The information you give on the form will help a judge decide whether your case should be dealt with in the small claims track, fast track or multi-track. After a judge has considered the completed questionnaires, you will be sent a notice of allocation setting out the judge's decision. The notice will tell you the track to which the claim has been allocated and what you have to do to prepare for the hearing or trial. **Leaflets telling you more about the tracks are available from the court office.**

### Claim for specified amount

**If you wish to dispute the full amount claimed or wish to claim against the claimant (a counterclaim),** complete Form N9B and send it to the court within 14 days.

**If you admit part of the claim,** complete the Defence Form N9B and the Admission Form N9A and send them both to the court within 14 days. The claimant will decide whether to accept your part admission in satisfaction of the claim (see under 'Admitting the Claim - specified amount'). If the claimant does not accept the amount you have admitted, the case will proceed as a defended claim.

**If you dispute the claim because you have already paid it,** complete Form N9B and send it to the court within 14 days. The claimant will have to decide whether to proceed with the claim or withdraw it and notify the court and you within 28 days. If the claimant wishes to proceed, the case will proceed as a defended claim.

### Claim for unspecified amount/return of goods/non-money claims

If you dispute the claim or wish to claim against the claimant (counterclaim), complete Form N9D and send it to the court within 14 days.

### Personal injuries claims:

**If the claim is for personal injuries and the claimant has attached a medical report to the particulars of claim, in your defence you should state whether you:**

- agree with the report **or**
- dispute all or part of the report **and** give your reasons for doing so **or**
- neither agree nor dispute the report **or** have no knowledge of the report

Where you have obtained your own medical report, you should attach it to your defence.

**If the claim is for personal injuries and the claimant has attached a schedule of past and future expenses and losses, in your defence you must state which of the items you:**

- agree **or**
- dispute **and** supply alternative figures where appropriate **or**
- neither agree nor dispute or have no knowledge of.

## Address where notices can be sent

This must be either the business address of your solicitor or European Lawyer or your own residential or business address within the UK or in any other European Economic Area state.

## Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant **is a registered company or a corporation** the response must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company **or** (in the case of a corporation) the mayor, chairman, president or town clerk.

# Response pack

You should read the 'notes for defendant' attached to the claim form which will tell you when and where to send the forms.

## Included in this pack are:

- either **Admission Form N9A** (if the claim is for a specified amount)
- either **Defence and Counterclaim Form N9B** (if the claim is for a specified amount)
- **Acknowledgment of service** (see below)
- or **Admission Form N9C** (if the claim is for an unspecified amount or is not a claim for money)
- or **Defence and Counterclaim Form N9D** (if the claim is for an unspecified amount or is not a claim for money)

|  | Complete                                |
|--|---|
| If you admit the claim or the amount claimed and/or you want time to pay   | the admission form                      |
| If you admit part of the claim   | the admission form and the defence form |
| If you dispute the whole claim or wish to make a claim (a counterclaim) against the claimant                                       | the defence form                        |
| If you need 28 days (rather than 14) from the date of service to prepare your defence, or wish to contest the court's jurisdiction | the acknowledgment of service           |
| If you do nothing, judgment may be entered against you   |   |

## Acknowledgment of service

Defendant's full name if different from the name given on the claim form

|                                     |  |
|-------------------------------------|--|
| <b>In the</b>                       |  |
| <b>Claim No.</b>                    |  |
| <b>Claimant</b><br>(including ref.) |  |
| <b>Defendant</b>                    |  |

Address to which documents about this claim should be sent (including reference if appropriate)

|  |                      |  |
|--|----------------------|--|
| Postcode <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> | <b>If applicable</b> |  |
|  | Telephone no.        |  |
|  | Fax no.              |  |
|  | DX no.               |  |
|  | Your ref.            |  |

|               |  |
|---------------|--|
| <b>E-mail</b> | <input style="width: 90%;" type="text"/> |
|---------------|--|

### Tick the appropriate box

1. I intend to defend all of this claim
2. I intend to defend part of this claim
3. I intend to contest jurisdiction

(My) (Defendant's) date of birth is

 /  /    

If you file an acknowledgment of service but do not file a defence within 28 days of the date of service of the claim form, or particulars of claim if served separately, judgment may be entered against you.

If you do not file an application to dispute the jurisdiction of the court within 14 days of the date of filing this acknowledgment of service, it will be assumed that you accept the court's jurisdiction and judgment may be entered against you.

If served outside the jurisdiction see CPR rule 6.35 and 6.37(5).

**Signed**

(Defendant) (Defendant's legal representative) (Litigation friend)

**Position or office held**  
(if signing on behalf of firm or company)

**Date**  /  /

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal). When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

## Admission (specified amount)

- You have a limited number of days to complete and return this form
- Before completing this form, please read the notes for guidance attached to the claim form

### When to fill in this form

- You are admitting all of the claim **and** you are asking for time to pay; **or**
- You are admitting part of the claim. (You should also complete form N9B).

### How to fill in this form

#### Individual

- Tick the correct boxes and give as much information as you can. Then sign and date the form. If necessary provide details on a separate sheet add the claim number and attach it to this form.
- Make your offer of payment in box 11 on the back of this form. If you make no offer the claimant will decide how much and when you should pay.

#### Organisation

- If you are not an individual, you should ensure you attach a financial statement showing your companies profit, loss, assets and liabilities to support any offer of payment made in box 11. Ensure you tick the correct box and complete sections 1, 9 (if applicable) and 12. If you are a Limited Company, the claimant is under no obligation to accept your offer.
- You can get help to complete this form at any County Court or Citizen Advice Bureau.

### Where to send this form

- If you admit the claim in full**  
Send the completed form to the **claimants address** shown on the claim form as one to which documents should be sent.
- If you admit only part of the claim**  
Send the form **to the issuing court** at the address given on the claim form, together with the defence form (N9B).

### How much of the claim do you admit?

- I admit the full amount claimed as shown on the claim form **or**
- I admit the amount of £

## 1 Personal/Organisation details

Surname/  
Organisation

Forename

Mr  Mrs  Miss  Ms

Married  Single  Other (specify)

Date of birth

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

Address

Phone no.

Name of court

Claim No.

Claimant  
(including ref.)

Defendant

## 2 Dependants (people you look after financially)

Number of children in each age group

under 11  11-15  16-17  18 & over

Other dependants

(give details)

## 3 Employment

I am employed as a

My employer is

Jobs other than main  
job (give details)

I am self employed as a

Annual turnover is £

I am not in arrears with my national insurance contributions, income tax and VAT

I am in arrears and I owe

£

Give details of:

(a) contracts and  
other work in hand

(b) any sums due  
for work done

I have been  
unemployed for

years

months

I am a pensioner

## 4 Bank account and savings

I have a bank account

The account is **in credit** by

£

The account is **overdrawn** by

£

I have a savings or building society account

The amount in the account is

£

## 5 Residence

I live in

my own house

lodgings

my jointly  
owned house

council  
accommodation

rented accommodation

## 6 Income

|   |          |            |
|---|----------|------------|
| My usual take home pay (including overtime, commission, bonuses etc.) | £        | per        |
| Income support  | £        | per        |
| Child benefit(s)  | £        | per        |
| Other state benefit(s)  | £        | per        |
| My pension(s)   | £        | per        |
| Others living in my home give me                                      | £        | per        |
| Other income (give details below)                                     |          |            |
|   | £        | per        |
|   | £        | per        |
|   | £        | per        |
| <b>Total income</b>   | <b>£</b> | <b>per</b> |

## 7 Expenses

(Do not include any payments made by other members of the household out of their own income)

I have regular expenses as follows:

|  |          |            |
|--|----------|------------|
| Mortgage (including second mortgage)                               | £        | per        |
| Rent   | £        | per        |
| Council tax  | £        | per        |
| Gas  | £        | per        |
| Electricity  | £        | per        |
| Water charges  | £        | per        |
| TV rental and licence  | £        | per        |
| HP repayments  | £        | per        |
| Mail order   | £        | per        |
| Housekeeping, food, school meals                                   | £        | per        |
| Travelling expenses  | £        | per        |
| Children's clothing  | £        | per        |
| Maintenance payments   | £        | per        |
| Others (not court orders or credit debts listed in boxes 9 and 10) |          |            |
|  | £        | per        |
|  | £        | per        |
|  | £        | per        |
| <b>Total expenses</b>  | <b>£</b> | <b>per</b> |

## 8 Priority debts

(This section is for arrears only. Do not include regular expenses listed in box 7.)

|                                      |          |            |
|--------------------------------------|----------|------------|
| Rent arrears                         | £        | per        |
| Mortgage arrears                     | £        | per        |
| Council tax/Community Charge arrears | £        | per        |
| Water charges arrears                | £        | per        |
| Fuel debts: Gas                      | £        | per        |
| Electricity                          | £        | per        |
| Other                                | £        | per        |
| Maintenance arrears                  | £        | per        |
| Others (give details below)          |          |            |
|                                      | £        | per        |
|                                      | £        | per        |
| <b>Total priority debts</b>          | <b>£</b> | <b>per</b> |

## 9 Court orders

| Court                                | Claim No. | £        | per        |
|--------------------------------------|-----------|----------|------------|
|                                      |           | £        | per        |
|                                      |           | £        | per        |
|                                      |           | £        | per        |
| <b>Total court order instalments</b> |           | <b>£</b> | <b>per</b> |

Of the payments above, I am behind with payments to (please list)

|  |
|--|
|  |
|--|

## 10 Credit debts

Loans and credit card debts (please list)

|  |   |     |
|--|---|-----|
|  | £ | per |
|  | £ | per |
|  | £ | per |

Of the payments above, I am behind with payments to (please list)

|  |
|--|
|  |
|--|

## 11 Offer of payment

- I can pay the amount admitted on
- or**
- I can pay by monthly instalments of £

If you cannot pay immediately, please give brief reasons below

|  |
|--|
|  |
|--|

## 12 Declaration

I declare that the details I have given above are true to the best of my knowledge

Signed

Position or office held  
(if signing on behalf of firm or company)

Date

# Defence and Counterclaim (specified amount)

- Fill in this form if you wish to dispute all or part of the claim and/or make a claim against the claimant (counterclaim).
- You have a limited number of days to complete and return this form to the court.
- Before completing this form, please read the notes for guidance attached to the claim form.
- Please ensure that all boxes at the top right of this form are completed. You can obtain the correct names and number from the claim form. The court cannot trace your case without this information.

## How to fill in this form

- Complete sections 1 and 2. Tick the correct boxes and give the other details asked for.
- Set out your defence in section 3. If necessary continue on a separate piece of paper making sure that the claim number is clearly shown on it. In your defence you must state which allegations in the particulars of claim you deny and your reasons for doing so. **If you fail to deny an allegation it may be taken that you admit it.**

Name of court

Claim No.

Claimant  
(including ref.)

Defendant

- If you dispute only some of the allegations you must
  - specify which you admit and which you deny; and
  - give your own version of events if different from the claimant's.
- If you wish to make a claim against the claimant (a counterclaim) complete section 4.
- Complete and sign section 5 before sending this form to the court. Keep a copy of the claim form and this form.

## 1. How much of the claim do you dispute?

I dispute the full amount claimed as shown on the claim form.

or

I admit the amount of £

If you dispute only part of the claim you must **either**:

- pay the amount admitted to the person named at the address for payment on the claim form (see How to Pay in the notes on the back of, or attached to, the claim form). Then send this defence to the court

or

- complete the admission form **and** this defence form and send them to the court.

I paid the amount admitted on / /

or

I enclose the completed form of admission (go to section 2)

## 2. Do you dispute this claim because you have already paid it? Tick whichever applies

**No** (go to section 3)

**Yes** I paid £  to the claimant

on / /

(before the claim form was issued)

Give details of where and how you paid it in the box below (then go to section 5)

## 3. Defence (If you need to continue on a separate sheet put the claim number in the top right hand corner.)

(continue over the page)



Claim No.

**Defence** (continued)

**4. If you wish to make a claim against the claimant (a counterclaim)**

- To start your counterclaim, you will have to pay a fee. Court staff can tell you how much you have to pay.
- You may not be able to make a counterclaim where the claimant is the Crown (e.g. a Government Department). Ask at your local county court office for further information.

If your claim is for a specific sum of money, how much are you claiming?

£

I enclose the counterclaim fee of

£

My claim is for *(please specify nature of claim)*

What are your reasons for making the counterclaim?

If you need to continue on a separate sheet put the claim number in the top right hand corner.

**5. Signed** - To be signed by you or by your solicitor or litigation friend.

\*(I believe) (The defendant believes) that the facts stated in this form are true.  
\*I am duly authorised by the defendant to sign this statement.

*\*delete as appropriate*

**Position or office held**  
(If signing on behalf of  
firm or company)

Date / /

Defendant's date of birth, if an individual / /

Give an address to which notices about this case can be sent to you

|                      |               |                      |
|----------------------|---------------|----------------------|
| <input type="text"/> | If applicable |                      |
|                      | Telephone no. | <input type="text"/> |
|                      | Fax no.       | <input type="text"/> |
|                      | DX no.        | <input type="text"/> |

Postcode

E-mail