

After-The-Event Insurance Proposal Form

Notes:

1. Signing this proposal form does not bind you or QBE to effect insurance. On receipt of the proposal QBE's only obligation is to decide whether to offer insurance and if so, on what terms.

2. All material facts must be disclosed. Failure to do so may give QBE the right to avoid the policy. A material fact is one that may influence the assessment of this proposal and, if QBE decides to quote, also the terms that are offered. If you are in any doubt as to whether something constitutes a material fact you should disclose it.

3. The papers submitted will be confidentially disposed of should the proposal be declined, unless requested otherwise.

4. The papers submitted will not be used for any other purpose nor disclosed to any other third party unless agreed with you.

Please complete ALL sections

Section 1 – Proposer's details

Proposer's name	
Proposer's address	
Proposer's status (e.g. individual, company, executor etc)	
Proposer's date of birth (if applicable)	
Proposer's status in the dispute (e.g. claimant, applicant etc)	

Section 2 – Legal Advisers' details

Solicitor firm name	
Address	
Solicitor acting	
Supervising partner	
Telephone/fax no	
Email address	
Solicitor file reference	
Your firm's EPF registration No	

Date instructed	
Barrister name	
Name of chambers	
Date instructed	

Section 3 – Opponent’s Details

Opponent’s name	
Opponent’s address	
Opponent’s status (e.g. individual, company, executor etc)	
Opponent’s status in the dispute (e.g. defendant, respondent etc)	

Section 4– Opponent’s Means to Satisfy Judgment

Opponent’s insurer (if known)	
What other checks have been undertaken to ensure that the opponent can satisfy a judgment?	

Section 5 – The Case

5a Details of the Case

Type of case	
Date of cause of action	
Jurisdiction	
Forum (County Court, High Court, etc)	
Track	
Full value of claim	
Minimum acceptable settlement figure	
Any other non-monetary relief sought	
Any other non-monetary settlement likely or possible	
Prospects of succeeding at trial as against each opponent (%)	

5b The Current Status of the Case

Has a letter of claim been sent?	
If yes, please provide date and details	
Date of issue of proceedings	
Date defence filed	
Please provide details of the stage that the proceedings have reached	
Has liability been admitted?	
Has a date been set for a trial or trial window?	

5c Settlement

Has the proposer made, or is the proposer in the process of making, any offers of settlement?	
If yes, please provide details	
Has the opponent made any offers of settlement?	
If yes, please provide details	
Has mediation, or any other form of ADR been suggested?	
If yes, please provide details	
Please provide a view on the prospect of reaching a settlement with the opponent	

5d Interim Applications

Have any pre-action or interim applications been made or threatened by any party?	
If yes, please provide details	
Are any pre-action or interim applications by any party anticipated?	
If yes, please provide details	

Section 6 – Costs

6a The Retainers

Please provide full details of the solicitor's retainer (private fee paying, CFA, DBA, etc)	
If CFA, what is the percentage of the law firm's hourly rate at risk?	
Date of law firm's retainer	
Please provide full details of the barrister's retainer (private fee paying, CFA, DBA, etc)	
If CFA, what is the percentage of the barrister's hourly rate at risk?	
Date of barrister's retainer	

6b Funding

Does or did the proposer have the benefit of any BTE policy?	
Please give full details as to whether the proposer requires, or anticipates requiring, third party funding	
Please provide details of any litigation funders (and/or funding brokers) approached by the proposer and their respective responses	

6c Own Costs

Please note that cover for own costs is only available in limited circumstances. If cover is not required, please enter "n/a" in the boxes in this section

Own costs incurred to date	
Maximum estimated own costs to trial	

6d Opponent's Costs

If cover is not required, please enter "n/a" in the boxes in this section

Estimated costs incurred by the opponent to date	
Maximum estimated total costs to trial	

6e Disbursements

If cover is not required, please enter "n/a" in the boxes in this section

Disbursements incurred to date	
Maximum estimated total disbursements to trial	

6f Costs of Costs Assessment Proceedings

If cover is not required, please enter "n/a" in the boxes in this section

Estimated opponent's costs of costs assessment	
Estimated disbursements of costs assessment	
Estimated own costs of costs assessment	

6g Costs of Appeal

If cover is not required, please enter "n/a" in the boxes in this section

Estimated opponent's costs of appeal	
Estimated disbursements of appeal	
Estimated own costs of appeal	

6h Premium Cover

Please note that cover for the premium is subject to payment of a further deposit premium or an increased premium

Is cover for the premium sought?	
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Section 7 – Other Applications for Legal Expenses

Has the proposer approached any other legal expenses insurer or broker?	
If yes, please provide full details including the outcome of any other such applications	

Section 8 – Supporting Documentation

Before submitting your proposal, please use the following as a checklist of the documents to be submitted with this proposal and tick the relevant boxes showing the documents enclosed with this application:

- Copy of retainer (including risk assessment if applicable)
- Costs estimates / budgets filed and served in the action (Precedent H if completed)
- Correspondence with the opponent(s)
- Witness statements
- Counsel's written advice (or, if none, attendance notes of conferences/calls with counsel)
- Pleadings
- Court orders (including directions orders)
- Expert reports

Section 9 – Declaration

Declaration (to be signed by Proposer and Solicitor) I declare that the information submitted in this form and accompanying enclosures is true to the best of my knowledge and belief. I agree that this proposal will form the basis of the contract between the Insured and QBE.

Signed (Proposer)

Date

Name of Proposer

Signed (Solicitor)

Date

Name of Solicitor



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