

SUMMONS SEEKING LEAVE TO APPEAL

COURT DETAILS

Court Supreme Court of New South Wales, Court of Appeal
Registry Sydney
Case number

TITLE OF PROCEEDINGS

[First] applicant **[name]**

#Second applicant #Number of applicants (if more than two)

[First] respondent **[name]**

#Second respondent #Number of respondents (if more than two)

PROCEEDINGS IN THE COURT BELOW

Title below [eg X Pty Limited and another v Y and others]

Court below

Case number below

Date[s] of hearing

Material date

Decision of [Judicial officer's name and designation]

FILING DETAILS

Filed for **[name]** [role of party eg applicant]

#Filed in relation to [eg whole decision below, decision below in relation to (number) cross-claim, decision below in relation to quantum]

[include only if form to be eFiled]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

Contact email [email address]

HEARING DETAILS

This summons seeking leave to appeal is listed for directions at [time, date and place to be inserted by the registry unless otherwise known].

DETAILS OF APPLICATION FOR LEAVE TO APPEAL

- 1 This application for leave to appeal is brought under [state the statutory provision under which the application is brought].
- 2 #The applicant has not filed a notice of intention to appeal.

#The applicant has filed and served a notice of intention to appeal, which was served on the [#prospective respondent #last of the prospective respondents] on [date].

ORDERS SOUGHT

- 1 #Leave to appeal from the whole of the decision below.

#Leave to appeal from the part of the decision below in relation to [state the relevant part of the decision below].

#SIGNATURE OF LEGAL REPRESENTATIVE

#This summons seeking leave to appeal does not require a certificate under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#).

#I certify under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#) that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in these proceedings has reasonable prospects of success.

I have advised the applicant[s] that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity [eg solicitor on record, contact solicitor]

Date of signature

#SIGNATURE OF OR ON BEHALF OF APPLICANT IF NOT LEGALLY REPRESENTED

I acknowledge that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity [eg authorised officer, role of party]

Date of signature

NOTICE TO RESPONDENT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence.

Before you can appear before the court, you must file at the court an appearance in the approved form.

HOW TO RESPOND

Please read this summons seeking leave to appeal very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons seeking leave to appeal you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the summons seeking leave to appeal from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

A party opposing an application for leave to appeal must file and serve a response (see UCPR 51.13) within 28 days after the filing of this summons and the accompanying White Folder. If you do not file and serve a response, the summons may be disposed of in your absence and without further notice to you.

REGISTRY ADDRESS

Street address	Supreme Court of New South Wales, Court of Appeal Law Courts Building Queen's Square Level 5, 184 Phillip Street Sydney NSW 2000
Postal address	GPO Box 3 Sydney NSW 2001
Telephone	1300 679 272

PARTY DETAILS

A list of parties must be filed and served with this summons seeking leave to appeal.

[on separate page]

FURTHER DETAILS ABOUT APPLICANT[S]**[First] applicant**

Name

Address

[The filing party must give the party's address.]

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

#Frequent user identifier

[include if the applicant is a registered frequent user]

[repeat the above information as required for the second and each additional applicant]

#Legal representative for applicant[s]

Name

[name of solicitor on record]

Practising certificate number

Firm

[name of firm]

#Contact solicitor

[include name of contact solicitor if different to solicitor on record]

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

DX address

Telephone

Fax

Email

Electronic service address

[#email address for electronic service eg
service@emailaddress.com.au #Not applicable]**#Contact details for applicant[s] acting in person or by authorised officer**

#Name of authorised officer

#Capacity to act for applicant[s]

Address for service

[The filing party must give an address for service. This must be an address in NSW unless the exceptions listed in UCPR 4.5(3) apply. State "as above" if the filing party's address for service is the same as the filing party's address stated above.]

#as above

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

Telephone

#Fax

Email

DETAILS ABOUT RESPONDENT[S]**[First] respondent**

Name

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

[repeat the above information as required for the second and each additional respondent]