



Talking point

LitCast – litigation and dispute podcasts

Series 1, Episode 3

This series focuses on the pre-action stage i.e. before a claim is formally served. In this third episode we discuss the following:

1) What you need to consider when sending or receiving a letter of claim

- Pre-action protocols and their objectives
- What the court will expect of you
- The requirement to exchange information
- The obligation to consider alternative dispute resolution

2) The deadlines in respect of pre-action letters

- The time limit within the protocol
- What to do if the deadline to respond is too tight
- These time frames do not affect limitation periods

3) The sanctions for failing to serve/respond to a pre-action letter

- The sanction is likely to be proportionate
- Circumstances in which you might not have to follow a pre-action protocol

We hope this is a helpful aid to our podcast, and should you require any legal advice in respect of a dispute you are dealing with, or believe will shortly come to light, please do get in touch.

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06/21