



I'm Being Sued. What Should I Do?

You've just received a statement of claim and you don't know what to do with it?

If you have received a statement of claim you have 28 days from the date you received it to consider your options and any defence and cross claims.

So what happens if you just leave it in the pile of junk mail? Will it just go away?

Ignoring a statement of claim can have a snowball effect. If, after 28 days, you decide to do nothing, the party who issued the statement of claim may apply to have default judgement entered against you. A judgement can affect your credit rating, making it difficult for you to obtain credit in the future.

What should you do if you receive a statement of claim?

You should seek legal advice about the options available to you. By doing this you will be able to place yourself on the front foot from the outset.

There are several options which may be available to you, for example:

- You may have a defence to the claim against the party suing you and you can file a defence and cross claim
- You may be able to negotiate with the party that issued the statement of claim to reach a settlement without having to resort to lengthy and costly Court proceedings
- You may be able to negotiate an agreement with the other party to pay the amount claimed by way of instalment payments

These are just some of the options that are available to you if you are being sued.

**For further information, contact the Commercial Litigation Team at
Watkins TapSELL on (02) 9521 6000.**



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