

Date created

14/12/2022

Reason for going to court

Claim value dispute: liability part disputed; may include NVC claim or uplift request

Portal number

OIC-12-22-2076

Section A Claimant's and Compensator's details

Claimant's name

callum menday

Claimant representative's details

Name

Not applicable

Reference number

Not applicable

Compensator's details

Name

Marshall Insurers

Reference number

Sample documents

Date of response

14/12/2022

CRU reference

Have parties agreed a liability percentage?

No

What percentage liability does the defendant admit?

50

Section B Seat belt

If there are allegations being made about the seat belt usage, based on those facts and the medical and any other evidence that has been seen, below is the percentage contribution the compensator has proposed to deduct from the injury element of the offer

Compensator explanation for the seatbelt contribution decision

Section C Exceptional circumstances

Did the claimant believe an uplift was justified?

Yes No

Which applied according to the claimant

- The whiplash injury is, or one or more of the whiplash injuries are, exceptionally severe
- The circumstances increase the pain, suffering or loss of amenity caused by the injury or injuries, those circumstances are exceptional
- None of the above

Does the medical report support the claim for a greater amount?

Yes No

Uplifted claimed by claimant

Claimant description of exceptional circumstance

Did the compensator agree to uplift the offer?

Yes No

Uplifted percentage decided by the compensator

Compensator explanation for the uplift decision

Section D Claimant's losses

Category and reasons	Claimant's value	Compensator's offer
Property - repairs / total loss	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Property - storage / recovery	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Property - temporary vehicle	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Property - loss of use	£20.00	£0.00
Compensator's reasons: you have not sent use any evidence to support this		
Claimant's reasons: I do not agree with the compensators decision		
Category and reasons	Claimant's value	Compensator's offer
Property - travel expenses	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Property - excess	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Property - diminution	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Property - other items	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Injury related - treatment costs	£60.00	£0.00
Compensator's reasons: there is no evidence to support this loss		
Claimant's reasons: I do not agree with the decision made here the evidence is attached to the portal		
Category and reasons	Claimant's value	Compensator's offer
Injury related - prescription costs	£3.99	£3.99
Compensator's reasons: Agreed		
Claimant's reasons: Agreed with £3.99		
Category and reasons	Claimant's value	Compensator's offer
Injury related - loss of earnings	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Injury related - care costs	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		

Category and reasons	Claimant's value	Compensator's offer
Injury related - travel costs	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Injury related - other costs	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Tariff amount	£1390.00	£1390.00
Compensator's reasons: As per the medical report		
Claimant's reasons: Agreed		
Category and reasons	Claimant's value	Compensator's offer
Tariff uplift	£0.00	£0.00
Compensator's reasons: No claim		
Claimant's reasons: Agreed		
Category and reasons	Claimant's value	Compensator's offer
Injury - non-tariff	£1500.00	£500.00
Compensator's reasons: as per the medical report headaches for 2 weeks, left arm injury for 2 months		
Claimant's reasons: I feel you have missed the number 1 off the figure you were suppose to offer me		

Section E Deductions

Category and reasons	Claimant's value	Compensator's offer
Deduction for liability	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Deduction for seatbelt	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Deduction for interim	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		
Category and reasons	Claimant's value	Compensator's offer
Deduction for CRU	£0.00	£0.00
Compensator's reasons:		
Claimant's reasons:		

Section F Claimant's fees

Category and reasons	Claimant's value	Compensator's offer
Fees - medical report	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Fees - other expert's fee	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Fees - police report	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Fees - medical records	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Fees - court fee	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Category and reasons	Claimant's value	Compensator's offer
Fees - fixed legal representative costs	£0.00	£0.00

Compensator's reasons:

Claimant's reasons:

Section G Non-protocol vehicle costs

Category	Value
Repairs/total loss	£0.00
Temporary vehicle costs	£0.00
Storage	£0.00
Recovery	£0.00

Vehicle repairs

Was the claimant's vehicle damaged in the accident?

Yes No

Have the repairs to the claimant's vehicle been completed?

Yes No

Was the claimant's vehicle written off/beyond economic repair?

Yes No

Who paid for the repairs?

- The claimant
 The compensator
 The claimant's insurer
 Another company

Does the claimant's insurer/another company need the claimant to include the repair cost in this claim?

Yes No

Temporary replacement vehicle

Was the claimant provided with a temporary replacement vehicle?

Yes No

Who provided the temporary replacement vehicle?

- The claimant's insurer
 Another company
 The compensator

Does the claimant's insurer/another company need the claimant to include the cost of the temporary replacement vehicle in this claim?

Yes No

Vehicle recovery and storage costs

Did the claimant drive their vehicle to the garage for repairs?

Yes No

Who arranged for the storage?

- The claimant's insurer
 Another company
 The compensator

Does the claimant's insurer/another company need the claimant to include the cost of recovery and storage in this claim?

Yes No

Compensator's response

Does the Compensator dispute the claim for non-protocol vehicle costs?

Yes No

Has the claimant's insurer paid them or their finance company for this loss?

Yes No

Do sums paid by the claimant's insurer to the claimant need to be included in this claim?

Yes No

Did the claimant pay for the cost of the temporary replacement vehicle?

Yes No

Was the claimant's vehicle held in storage?

Yes No

Who arranged for the claimant's vehicle to be taken to the garage?

- The claimant
 The compensator
 The claimant's insurer

Section H Total amount claimed

Losses	Claimant's value
Non-protocol vehicle costs	£0.00
Other protocol damages	£83.99
Damages for injury	£2890.00
Losses before deductions	£2973.99
Deductions	£0.00
Total amount claimed	£2973.99

Fees	Claimant's value
Total fees amount claimed	£0.00
