

STATEMENT OF DEFENCE TO COUNTERCLAIM*(Paragraph 6(4)(a))***What are the options of a defendant by counterclaim?**

A plaintiff (defendant by counterclaim) who receives a STATEMENT OF DEFENCE with a COUNTERCLAIM may do any one or more of the following:

- a. oppose all or part of the COUNTERCLAIM by listing reasons why the counterclaim is opposed;
- b. admit all or part of the counterclaim;
- c. pay the amount claimed directly to the plaintiff by counterclaim or into Territorial Court under subrule 22(21) and ask the plaintiff by counterclaim to discontinue the STATEMENT OF DEFENCE with COUNTERCLAIM under subrule 22(22);
- d. make an offer to settle under rule 14;
- e. admit all or part of the counterclaim and propose a payment schedule.

STEP 1

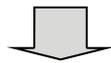
COMPLETE the STATEMENT OF DEFENCE TO COUNTERCLAIM. To complete this form, type or print clearly.

**STEP 2**

FILE the STATEMENT OF DEFENCE TO COUNTERCLAIM by taking or mailing it to the Territorial Court registry. The staff will check the form and if it is in order, accept it for filing. The STATEMENT OF DEFENCE TO COUNTERCLAIM must be filed in the registry within the time limit shown on the STATEMENT OF DEFENCE with COUNTERCLAIM.

**STEP 3**

The Territorial Court registry will send a copy of the STATEMENT OF DEFENCE TO COUNTERCLAIM to the defendant (plaintiff by counterclaim) and in most cases set a date for a settlement conference. You will receive a notice telling you the date and location of the conference. Some cases will go directly to trial and you will receive notice telling you the date and location.

**STEP 4**

When the date is set, you can prepare for the conference or trial.

FROM:

This is where you identify the plaintiff (defendant by counterclaim) who is filing this STATEMENT OF DEFENCE TO COUNTERCLAIM. Fill in the address from the STATEMENT OF CLAIM.

DISPUTE:

List the reasons why you oppose the counterclaim. You do not need to tell everything about your defence here. You must tell just enough to indicate to the plaintiff by counterclaim and the Territorial Court what parts of the claim you dispute and why. Look at the “How Much” section of the COUNTERCLAIM. If the claim has more than one part—a, b, c, and so on—then you should defend against each part separately, using the same letters. If there is anything in the COUNTERCLAIM that you agree with, be sure to include that here.

Note:

A plaintiff (defendant by counterclaim) may not include a counterclaim in a STATEMENT OF DEFENCE TO COUNTERCLAIM.

STATEMENT OF DEFENCE TO COUNTERCLAIM
 IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

REGISTRY FILE NO.
REGISTRY LOCATION

STATEMENT OF DEFENCE TO COUNTERCLAIM

FROM:
 Fill in the name, address and telephone number of the plaintiff from the STATEMENT OF CLAIM.

NAME				PLAINTIFF(S)
ADDRESS				
CITY, TOWN, COMMUNITY	TERRITORY/PROVINCE	POSTAL CODE	TELEPHONE	

TO:
 Fill in the name, address and telephone number of the defendant filing this STATEMENT OF DEFENCE. Address is the address for service.

NAME				DEFENDANT(S)
ADDRESS				
CITY, TOWN, COMMUNITY	TERRITORY/PROVINCE	POSTAL CODE	TELEPHONE	

DISPUTE:
 Using the "HOW MUCH" section of the COUNTERCLAIM as a guide, tell why you disagree with each part (eg. a-d). If you agree with parts of the claim say so.

a. _____

b. _____

c. _____

d. _____

Check box if section is continued on an ADDITIONAL PAGE (Form 45). Be sure to attach page.

AGREEMENT WITH COUNTERCLAIM:

If you agree to pay all or part of what is claimed, make a proposal. Give dates and amounts.

I, _____ agree to pay \$ _____

(NAME) (AMOUNT)

 Signature for Defendant by Counterclaim

 Date