16.

O. 9, r. 4(2)(c)

(Title as in cause or matter)

**CASE MANAGEMENT PLAN**

**Case Number(s):**

**Date of Case Management Plan:**

*[Note: The Case Management Plan consists of (a) questions which parties should endeavour to answer jointly; and (b) questions which are party‑specific (these questions are indicated with an asterisk (\*)). In relation to joint‑answer questions, please state the response in bold immediately after the question. If the parties are unable to provide a joint answer, the claimant is to first provide its answer, and the other parties shall provide their comments. In relation to party‑specific questions, each party is to set out its response to such questions. If the answers to certain questions are not applicable due to the nature of the case, the stage of the proceedings or for any other reason, this should be indicated accordingly in the answers. To avoid doubt, only one Case Management Plan is to be submitted to the Court.]*

**Determination of Adjudication Track**

1. In relation to the adjudication track for the case, please state:

(a) the parties’ proposed adjudication track, i.e. pleadings (Order 6), statements (Order 7), or memorials (Order 8);

(b) whether any modifications to the adjudication track are proposed and, if so:

(i) the nature of those modifications;

(ii) the default rules that are applicable to that adjudication track that shall not apply and such other rules (if any) that shall apply instead;

(iii) the modifications (if any) required to the applicable fee payment milestones in Order 26, Rule 3; and

(iv) brief reasons to justify the above.

**List of Issues**

2. Has a List of Issues in Form 18 been submitted in accordance with Order 9, Rule 4(2)(e)? If “no”, please state:

(a) the reason the List of Issues has not been submitted; and

(b) when the List of Issues can be provided to the Court.

**Legal Representation**

3. If any offshore case declaration has been filed, please state:

(a) whether an application under Order 3, Rule 7 for a decision that the case is not an offshore case will be filed;

(b) the brief reasons for the application; and

(c) when the application will be filed.

4. If no offshore case declaration has been filed, please state:

(a) whether an application under Order 3, Rule 6 for a decision that the case is an offshore case will be filed;

(b) the brief reasons for the application; and

(c) when the application will be filed.

**Pleadings** *[if the case is proceeding on the pleadings track]*

5. Have all relevant pleadings been filed? If “no”, please state:

(a) which pleading(s) remain outstanding; and

(b) when the remaining pleading(s) can be filed.

6. \*Does any party intend to amend any pleading? If “yes”, please state:

(a) the pleading(s) for which amendment(s) are intended; and

(b) when the draft amendment(s) can be furnished to the other parties.

7. \*Does any party intend to make a request for particulars? If “yes”, please state:

(a) the requests for particulars that will be made; and

(b) when the request for particulars can be served on the other parties.

8. \*Has any party made any request for particulars that has not been responded to? If “yes”:

(a) the requesting party is to state what these outstanding requests are; and

(b) the requested party is to state when a response can be expected.

9. Are the pleadings complex or voluminous? If “yes”, please state:

(a) whether a summary of pleadings with appropriate cross‑references to the relevant paragraphs in the pleadings will assist the Court; and

(b) the directions (if any) that are being sought from the Court.

**Witness Statements** *[if the case is proceeding on the statements track]*

10. Have all relevant witness statements been filed? If “no”, please state:

(a) which witness statement(s) remain outstanding; and

(b) when the remaining witness statement(s) can be filed.

**Memorials** *[if the case is proceeding on the memorials track]*

11. Have all relevant memorials been filed? If “no”, please state:

(a) which memorial(s) remain outstanding; and

(b) when the remaining memorial(s) will be filed.

12. Have the parties discussed the matters in Order 8, Rule 1(3)? If “yes”, please state:

(a) the content of the matters discussed; and

(b) whether an agreement has been reached on these matters.

13. \*Does any party intend to amend any memorial? If “yes”, please state:

(a) the memorial(s) for which amendment(s) are intended; and

(b) when the draft amendment(s) can be furnished to the other parties.

**Interlocutory Applications**

14. \*Does any party intend to make any interlocutory application(s) between now and 4 weeks after the date of the case management conference? If “yes”, please state:

(a) what interlocutory application(s) are intended;

(b) when the interlocutory application(s) will be filed; and

(c) whether the intended applicant has informed the intended respondent about the intended interlocutory application(s), and if so, the response (if any) from the intended respondent.

**Production of Documents**

15. \*Have the parties provided all the documents on which they rely to all other parties pursuant to Order 12, Rule 1? If “no”, please state when such documents can be provided.

16. \*Does any party expect to serve a request to produce pursuant to Order 12, Rule 2? If “yes”, please state:

(a) when the request to produce will be served; and

(b) the amount of time that the requesting party expects the requested party will require to produce the requested documents.

17. \*Has any party been served with a request to produce pursuant to Order 12, Rule 2? If “yes”, the requested party is to state:

(a) whether the requested party is objecting to the request to produce;

(b) if the answer to sub‑paragraph (a) is “yes”, please state when the requested party can serve the notice of objection.

(c) if the answer to sub‑paragraph (a) is “no”, please state when the requested party can produce the documents.

18. \*Has any party been served with a notice of objection pursuant to Order 12, Rule 3? If “yes”, the requesting party is to state:

(a) whether the requesting party will be filing an application to the Court for documents to be produced; and

(b) if the answer to sub‑paragraph (a) is “yes”, when the application will be filed.

19. \*Does any party intend to make a request or application for the production of electronically-stored documents pursuant to Order 12, Rule 13? If “yes”, please state the proposed plan in relation to the production of electronically‑stored documents.

**Evidence**

20. Do the parties intend to make an application to disapply any rule of evidence found in Singapore, whether under the Evidence Act or elsewhere? If “yes”, please state:

(a) the brief reasons for the application; and

(b) the rule of evidence that the parties intend to use in place of the disapplied rule of evidence.

**Authenticity and Admissibility of Documents**

21. \*Does any party intend to object to the authenticity or admissibility of any documents produced by any other party? If so, please state:

(a) the document which authenticity or admissibility is disputed; and

(b) the reasons for the objection.

**Witnesses**

Factual Witnesses

22. \*How many factual witnesses does each party propose to call to give evidence at trial?

23. \*In relation to each factual witness, please state:

(a) the name of the witness;

(b) the role of the witness in the dispute (such as whether the witness is a party or an employee or officer or other representative of a party, etc.);

(c) a brief description of the facts to which the witness will attest; and

(d) if a party is unable to answer sub‑paragraphs (a) to (c) above, please explain why.

24. \*Will an interpreter be required for any of the factual witnesses listed above? If “yes”, please state which language the witness will be giving evidence in. Parties are reminded to make the necessary arrangements for interpreters at trial.

Expert Witnesses

25. Will expert evidence be adduced at the trial? If “yes”, please state:

(a) whether the parties intend to proceed by way of a Court expert witness, a joint expert witness, or party expert witnesses;

(b) if the parties intend to proceed by way of a Court expert witness or a joint expert witness, please state:

(i) the number of Court expert witnesses or joint expert witnesses that parties propose to rely on at trial;

(ii) the name of each witness;

(iii) the relevant field of expertise of each witness (with an accompanying curriculum vitae);

(iv) a brief description of the matters to which each witness will attest; and

(v) whether each expert witness has prepared a report, and whether the report has been served on all parties;

(vi) if the answer to (v) is negative, when the report is expected to be served;

(c) \*if the parties intend to proceed by way of party expert witnesses, please state:

(i) the number of party expert witnesses that each party proposes to rely on at trial;

(ii) the name of each witness;

(iii) the relevant field of expertise of each witness (with an accompanying curriculum vitae);

(iv) a brief description of the matters to which each witness will attest;

(v) whether each expert witness has prepared a report, and whether the report has been served on all parties;

(vi) if the answer to (v) is negative, when the report is expected to be served;

(vii) when the witness will be available for a meeting of the experts (please propose a range of dates for the meeting); and

(viii) whether the parties have any objections to any other parties’ expert witnesses and if so, the grounds for the objections;

(d) if the parties are unable to answer any of the paragraphs above, please explain why.

26. Is this a suitable case for an assessor or independent counsel to be appointed? If “yes”, please state:

(a) the name of each assessor or independent counsel whom the parties propose to be appointed; and

(b) the relevant field of expertise of each assessor or independent counsel (with an accompanying curriculum vitae).

27. Should the procedure for a panel of experts be applied at the trial? Please explain why.

Video Link for Witnesses

28. Will any of the factual or expert witnesses be required to give evidence via video link? If “yes”, please state:

(a) the name of each witness who will be giving evidence via video link; and

(b) whether the relevant application for evidence to be given via video link has been made, and if not, when the relevant application will be made.

Others

29. \*Does any party expect to apply for dispensation of a witness’s witness statement? If so, please state the details of the particular witness and the reasons for seeking dispensation of the witness statement.

**Questions of Foreign Law**

30. Are there any questions of foreign law involved in the case? If “yes”, please state whether and, if so, when an application for questions of foreign law to be determined on the basis of submissions instead of proof will be made.

**Confidentiality Orders**

31. Will an application seeking any confidentiality orders for the proceedings be made?

**Trial or Hearing On the Merits**

32. How long do the parties estimate that the trial or hearing on the merits of the proceedings will take? Please provide a range of days, if appropriate.

33. What is the earliest date by which the parties can be ready for the trial or hearing on the merits of the proceedings?

34. Do the parties intend to make a request for the trial or hearing on the merits of the proceedings to be heard by a panel of 3 Judges instead of one Judge?

35. Do the parties intend to make an application for the bifurcation of the trial? If “yes”, please state the brief grounds for such an application.

**Costs**

36. \*What is each party’s estimate of his / her costs incurred to date?

37. \*What is each party’s estimate of his / her overall costs in the event that the matter proceeds to a trial or hearing on the merits of the proceedings?

**Any Other Issues**

38. \*Apart from the questions listed above, are there any other issues or concerns that any party wishes to highlight to the Court and/or the other parties? If “yes”, please state these issues briefly and how these may be addressed.

**Settlement and Alternative Dispute Resolution (“ADR”)**

39. Have the parties attempted mediation or any other form of ADR at any time prior to, or during, these proceedings? If “yes”, please provide brief details of when this was done and why litigation remains necessary.

40. Are the parties contemplating settlement through mediation or any other form of ADR?

(a) If “yes”, please state:

(i) whether the parties have agreed to proceed for mediation or any other form of ADR;

(ii) the proposed date of mediation or any other form of ADR; and

(iii) whether the parties require any directions on how they should proceed to mediation or any other form of ADR.

(b) If “no”, please state why mediation or any other form of ADR will not be appropriate for the resolution of this case.

**Questions relating to the Technology, Infrastructure and Construction List (or TIC List) of the Court**

41. Are the parties of the view that the case contains a TIC Claim as defined in Order 28, Rule 2?

(a) If “yes”, please indicate whether parties have agreed for the case to be placed in the TIC List under Order 28, Rule 3.

(b) If “no”, please indicate whether either party wishes to make an application under Order 28, Rule 3 for the case to be placed in the TIC List.

42. If the parties have agreed for this case to be placed in the TIC List under Order 28, Rule 3, please indicate:

(a) Whether the parties have agreed to apply the pre-action protocol as set out in Appendix D, or a version of that protocol containing such modifications as may be agreed in writing by the parties. If “yes”, please indicate whether that protocol was applied by the parties prior to the commencement of these proceedings.

[Note: If a modified version of the pre‑action protocol was applied, please exhibit a copy of the protocol applied by the parties at the end of this Form.]

(b) Whether the parties have agreed to apply the simplified adjudication process protocol as set out in Appendix E, or a version of that protocol containing such modifications as may be agreed in writing by the parties.

[Note: If the parties have agreed to a modified version of the simplified adjudication process protocol as set out in Appendix E, please exhibit a copy of the modified protocol at the end of this Form.]