

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

REGISTRAR'S CIRCULAR NO. 11 OF 2020

DISPENSATION OF ATTENDANCE AND ASYNCHRONOUS HEARING OF SPECIFIED CATEGORIES OF CIVIL HEARINGS

1. Pursuant to Registrar's Circulars No. 8 and 9 of 2020, it was announced that during the Relevant Period (from 7 April 2020 to 1 June 2020), all civil hearings other than hearings of essential and urgent matters would be re-scheduled to a date after 1 June 2020.
2. The Civil Justice Division will be implementing the following pilot programmes from 8 June 2020 to 8 December 2020 (both dates included) to streamline proceedings and reduce physical court hearings:
 - (i) the dispensation of attendance of counsel and/or parties at specified hearings;
 - (ii) the asynchronous processing and hearing of Summonses filed on an *ex parte* basis under the Rules of Court (Cap 322, R 5) ("*ex parte* Summons(es)"); and
 - (iii) the asynchronous processing and hearing of Summonses For Directions ("*SFD(s)*") pursuant to Order 16, Order 25 and Order 37 of the Rules of Court.

A. DISPENSATION OF ATTENDANCE AT SPECIFIED HEARINGS

3. Registrar's Circular No. 3 of 2009 ("RC 3 of 2009") allowed the dispensation of physical attendance of counsel at hearings where the following orders would be sought:
 - (i) withdrawal of a Registrar's Appeal ("*RA*") by consent;
 - (ii) adjournment of the hearing for Garnishee Order to Show Cause as the Order to Show Cause has yet to be served; and
 - (iii) discharge of a Garnishee Order to Show Cause by consent as there are no monies with the garnishee.
4. The present Registrar's Circular will expand on the scope of RC 3 of 2009. With effect from 8 June 2020, the Civil Justice Division will pilot the dispensation of attendance of counsel and/or parties at hearings where parties are seeking:
 - (i) the withdrawal of an Originating Summons, *inter partes* Summons and/or *RA*, by consent, where:
 - (a) all orders in respect of withdrawal, including costs, are agreed; or
 - (b) all orders (save for costs) in respect of withdrawal are agreed, and parties agree that the Court may fix costs pursuant to parties' written submissions;

- (ii) an order in terms of the prayers stated in an Originating Summons, *inter partes* Summons and/or RA by consent, where:
 - (a) all orders (including costs) have been agreed for the full disposal of the relevant application after the filing of the application; or
 - (b) all orders (save for costs) have been agreed for the full disposal of the relevant application after the filing of the application, and parties agree that the Court may fix costs pursuant to parties' written submissions;
 - (iii) the discharge of a Garnishee Order to Show Cause by consent;
 - (iv) the discharge of an Examination of Judgment Debtor Order;
 - (v) the withdrawal of *ex parte* Originating Summonses or Summonses, where the costs order sought is "no order as to costs" or where the applicant agrees that the Court may fix costs pursuant to the applicant's written submissions;
 - (vi) directions to be given in Case Management Conferences, where parties consent to the said directions and/or consent to the Court giving directions after considering parties' written submissions on the same;
 - (vii) the recording of settlement terms or consent judgments by the Deputy Registrar conducting the relevant Case Management Conference, and the fixing of costs where parties agree that the Court may fix costs pursuant to parties' written submissions; and
 - (viii) orders to be made on any contested interlocutory application, Originating Summons or RA, *where all parties are represented* and agree to have all orders (including costs) for the full disposal of the relevant application determined by the Court, based solely on affidavits and written submissions ("Documents-Only Hearing").
5. To seek any of the above orders set out in paragraph 4(i) to (v) above, parties are to file a Request through eLitigation, under "Other Hearing Related Request", attaching the form in **Annex A** to the Request. Written submissions on costs, if any, are to be e-filed through eLitigation, on the same day as the filing date of the Request. The Request is to be filed **at least 5 working days** before the next hearing date of the application.
6. In respect of the orders set out in paragraphs 4(vi) and (vii), the parties are to file a Request through eLitigation, under "Other Hearing Related Request", to seek the necessary directions/orders from the Deputy Registrar conducting the relevant Case Management Conference. The Request is to be filed at least **5 working days** before the Case Management Conference hearing.
7. After receipt of any Request referred to in paragraphs 5 and 6 above, the orders sought will be examined by the Judge or Registrar, as the case may be, and if all the requirements have been complied with, the order(s) and/or directions may be granted without the attendance of counsel and/or parties.

8. In respect of the orders set out in paragraph 4(viii):
- (i) the applicant's counsel is to file a Request through eLitigation under "Other Hearing Related Request" to seek a Documents-Only Hearing, enclosing documents showing:
 - (a) the consent of all parties to a Documents-Only Hearing; and
 - (b) all parties' counsel's certification that all affidavits, written submissions and bundles of authorities for the application have been filed in eLitigation and that the application is ready for hearing.
 - (ii) the Request is to be filed at least **5 working days** before the next hearing date of the application. The Request shall be rejected in the event of non-compliance with the above conditions in sub-paragraphs 8(i)(a) and (i)(b).
 - (iii) For summary judgment, striking out or setting aside applications for which a Summons Pre-Trial Conference is fixed, the parties are to consider the suitability of their case for a Documents-Only Hearing and to obtain their respective clients' instructions prior to attending the first Summons Pre-Trial Conference, so that the Court can give the necessary directions for a Documents-Only Hearing, if so ordered by consent.
 - (iv) Where a Request for a Documents-Only Hearing is allowed, the Court hearing the application may issue further directions for the fair and effective conduct of the hearing. The Court may issue the orders in respect of the application without requiring the attendance of counsel. Alternatively, a Registrar's Notice will be issued informing parties of the hearing for delivery of decision.
9. In all cases where a particular District Judge/Magistrate or a particular Deputy Registrar has been assigned to hear the matter, the Request shall be addressed to the respective District Judge/Magistrate or Deputy Registrar. In all other cases, the Request shall be addressed to the "Registrar".

B. ASYNCHRONOUS HEARING OF EX PARTE SUMMONSES

10. With effect from 8 June 2020, the Civil Justice Division will gradually roll out the asynchronous issuance of orders, issuance of directions and/or reception of submissions for all *ex parte* summonses, without requiring the attendance of counsel or parties.
11. Practice Directions 24(2) and 24(3) will continue to apply for the first hearing of an *ex parte* summons. The application will be examined by the Judge or Registrar as the case may be and if the Judge or Registrar is satisfied that the application is in order and all other requirements have been complied with, the Judge or Registrar may make the order(s) applied for without the attendance of the applicant or his counsel.

12. The following table outlines the steps which will need to be taken by parties.

S/No.	Categories of <i>Ex Parte</i> Summonses	Steps to be taken by Parties
1)	<i>Ex parte</i> Summonses filed before 8 June 2020 with a hearing date fixed <u>before 29 June 2020</u>	The applicant will continue to appear before the Court either in person or remotely via video conferencing in accordance with Registrar’s Circular No. 5 of 2020 (“RC 5”).
2)	<i>Ex parte</i> Summonses filed before 8 June 2020 with a hearing date fixed <u>on or after 29 June 2020</u>	<p>The applicant is to file written submissions and/or supplementary affidavit(s) supporting the orders he/she wishes to obtain and/or addressing issues previously raised by the Court <u>at least 5 working days</u> before his/her hearing date.</p> <p>The Court will proceed on the hearing date to consider all documents filed by the applicant by the specified deadline without the attendance of the applicant or his solicitor (hereafter referred to as a “paper” hearing). The Court will then proceed either to issue orders (such as approval or dismissal of the application), or to issue further directions and fix the application for a further “paper” hearing.</p> <p>Where a further “paper” hearing is fixed, the same process stated above applies.</p> <p>In the event that the applicant does not file any document by the specified deadline before any “paper” hearing date, the <i>ex parte</i> Summons <u>will be struck out</u>.</p>
3)	<p><i>Ex parte</i> Summonses already filed with no orders or directions given as at 8 June 2020</p> <p>And</p> <p><i>Ex parte</i> Summonses filed on or after 8 June 2020</p>	<p>For these 2 categories, the applicant will either receive:</p> <p>(a) an order in terms as described at paragraph 11 above; or</p> <p>(b) directions and a “paper” hearing date.</p> <p>Where a “paper” hearing date is given, the applicant is to file written submissions and/or supplementary affidavit(s) supporting the orders he/she wishes to obtain and/or addressing directions issued by the Court <u>at least 5 working days</u> before his/her hearing date. The Court will proceed on the “paper” hearing date to consider all documents filed by the applicant by the specified deadline. The Court will then proceed either to issue orders (such as approval or dismissal of the application), or to issue further directions and fix the application for a further “paper” hearing.</p>

		<p>Where a further “paper” hearing is fixed, the same process stated above for the first “paper” hearing date applies.</p> <p>In the event that the applicant does not file any document by the specified deadline before any “paper” hearing date, the <i>ex parte</i> Summons <u>will be struck out</u>.</p>
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C. ASYNCHRONOUS HEARING OF SUMMONSES FOR DIRECTIONS

13. With effect from 8 June 2020, the Civil Justice Division will gradually roll out the asynchronous issuance of orders, directions and/or receipt of submissions for all SFDs without requiring the attendance of counsel and/or parties.

S/No.	Categories of SFDs	Steps to be taken by Parties
1)	SFDs filed before 8 June 2020 with a hearing date fixed <u>before 29 June 2020</u>	Parties will continue to appear before the Court either in person or remotely via video conferencing in accordance with RC 5.
2)	<p>SFDs filed before 8 June 2020 with a hearing date fixed <u>on or after 29 June 2020</u></p> <p>OR</p> <p>SFDs filed on or after 8 June 2020 and <u>before 29 June 2020</u> (i.e. by 28 June 2020)</p>	<p>Parties are to file written submissions and/or supplementary affidavit(s) supporting the orders they wish to obtain and/or addressing issues previously raised by the Court at least 5 working days before their “paper” hearing date.</p> <p>The Court will proceed on the “paper” hearing date to consider all documents filed by the parties. The Court will then proceed either to issue orders (such as approval or dismissal of the application) or to issue further directions and fix the application for a further “paper” hearing.</p> <p>Where a further “paper” hearing is fixed, the same process stated above applies.</p> <p>In the event that no document is filed by any party by the specified deadline before any “paper” hearing date, the SFD <u>will be struck out</u>.</p>
3)	SFDs filed <u>on or after 29 June 2020</u>	The new SFD protocol annexed hereto as “ Annex B ” applies.

D. CONCLUSION

14. For the avoidance of doubt, for all the above-mentioned categories of hearings and applications, the Court will at all times (during the pilot programmes or otherwise) retain the full discretion to issue directions for parties to attend a physical hearing or remote hearing via video conferencing where it deems fit.
15. Please also note that, for the purpose of Order 55B r 1(4) of the Rules of Court (as may be applicable to the above-mentioned categories of hearings and applications), any notice of appeal must be issued within 14 days after the date on which the Registry notifies parties via eLitigation of the judgment, order or decision appealed against. For matters governed by Order 55C of the Rules of Court: (a) the Registry will notify parties via eLitigation of the Court's judgment, order or decision on the same date that the said judgment, order or decision is given or made by the Court; and (b) the prevailing appeal timelines starting from the date of judgment, order or decision as stated in the said provision of the Rules of Court shall continue to apply. In all cases, when parties extract the Order of Court, the date of that Order of Court should remain as the date on which the Court had heard the matter as reflected in eLitigation.
16. Another Registrar's Circular will be issued in due course on whether the pilot programme(s) will continue to run after this initial 6-month period from 8 June 2020 to 8 December 2020 (both dates included).

Dated this 8th day of June 2020.



CHRISTOPHER TAN
REGISTRAR
STATE COURTS

ANNEX A

DISPENSATION OF ATTENDANCE OF COUNSEL/PARTIES AT HEARING

Case No.:

Sub-Case No.:

Date/Time of Hearing:

To: Registrar/District Judge/Magistrate/Deputy Registrar [insert name]

We, [insert party/parties], apply for the following order(s):

(i)	Withdrawal of Originating Summons/ <i>inter partes</i> summons/Registrar's Appeal* where:	
	(a) all orders in respect of withdrawal, including costs are agreed: [agreed orders to be listed here]	<input type="checkbox"/>
	(b) all orders (save for costs) in respect of withdrawal are agreed, and parties agree that the Court may fix costs pursuant to parties' written submissions: [agreed orders to be listed here]	<input type="checkbox"/>
(ii)	Orders for Originating Summons/Summons/ <i>inter partes</i> summons/Registrar's Appeal*, by consent, where:	
	(a) all orders (including costs) have been agreed for the full disposal of the relevant application after the filing of the application: [agreed orders to be listed here]	<input type="checkbox"/>
	(b) all orders (save for costs) have been agreed for the full disposal of the relevant application after the filing of the application, and parties agree that the Court may fix costs pursuant to parties' written submissions: [agreed orders to be listed here]	<input type="checkbox"/>
(iii)	Discharge of a Garnishee Order to Show Cause by consent	<input type="checkbox"/>
(iv)	Discharge of an Examination of Judgment Debtor Order	<input type="checkbox"/>
(v)	Withdrawal of <i>ex parte</i> Originating Summons/Summons, where:	
	(a) the costs order sought is "no order as to costs"	<input type="checkbox"/>
	(b) the applicant agrees that the Court may fix costs pursuant to the applicant's written submissions.	<input type="checkbox"/>

* delete where applicable

ANNEX B

Protocol for Asynchronous Conduct of Summonses for Directions (“SFDs”) via eLitigation (for SFDs filed on or after 29 June 2020)

1. This protocol applies to SFDs filed pursuant to Order 16, Order 25 and Order 37 of the Rules of Court (Cap 322, R 5) (the “Rules”).

Steps to take before the filing of SFDs

2. Save for SFDs filed pursuant to Order 16 and Order 37 of the Rules, parties should consult each other on resolving the matter without trial, through negotiation or any Alternative Dispute Resolution (“ADR”) or Court Dispute Resolution (“CDR”) processes, and as far as possible, undertake to complete the same before filing the SFD.
3. Parties shall consult each other on their proposed timelines and directions and attempt to agree on the same. In this regard:
 - a. The applicant(s) shall serve a duly filled-up **SFD Timelines Form** annexed hereto as “**Annex B1**” (and, where applicable, **SFD SJE Form**¹ annexed hereto as “**Annex B2**”) (collectively, the “Form(s)”) on the respondent(s) for its completion, and inform the respondent(s) to respond substantively within 14 days from the receipt of the relevant Form(s). Where any respondent is legally unrepresented, the applicant(s) shall also forward a copy of this protocol to him/her.
 - b. If the respondent(s) do not respond substantively within 14 days, the applicant(s) may proceed to file the SFD for the Court’s determination and directions, indicating in the SFD (as part of the grounds of the application) the date and mode by which the relevant Form(s) was served on the respondent(s).
 - c. In the event that the respondent(s) inform the applicant(s) that it requires more time to provide a substantive response but the applicant(s) nevertheless wants to proceed to file the SFD, the applicant(s) shall specify, in the grounds of the application or by way of affidavit:
 - i. the reasons given by the respondent(s) for requiring more time; and
 - ii. the reasons for the applicant(s) refusing the extension of time sought.

¹ Where parties are unable to agree on the Single Joint Expert (“SJE”) and require the Court to appoint one pursuant to Order 108 rule 5(3)(b)(1)(A) of the Rules of Court (Cap 322, R 5).

Steps to take when filing SFDs

4. Save for SFDs filed pursuant to Order 16 and Order 37 of the Rules, the duly completed **SFD ADR Form** annexed hereto as “**Annex B3**” shall be attached to the SFD filed. This does not supersede the requirement to file ADR Forms pursuant to Practice Direction 26(3)-(4) (*ie*, Form 7 to Appendix A to the Practice Directions).
5. Where parties are able to agree on the proposed timelines and directions (including SJE appointment), parties may proceed file a Consent Summons for the Court’s determination and approval. Insofar as the agreed timelines fall within the parameters set out in **Annex B4** hereto, it is not necessary to attach the completed SFD Timelines Form to the Consent Summons. However, if the agreed timelines exceed the parameters set out in **Annex B4** hereto, the duly completed SFD Timelines Form, stating the reasons for the proposed timelines, shall be attached to the Consent Summons along with the SFD-ADR Form.
6. Where parties are unable to agree on the proposed timelines and directions, the duly completed SFD ADR Form, SFD Timelines Form and SFD SJE Form (where applicable), stating the reasons for their proposed timelines and directions, shall be attached to the SFD filed. Parties may also file written submissions and/or affidavit(s) supporting the orders they wish to obtain along with the SFD filed.

Conduct of SFDs

7. The Court will generally conduct SFDs asynchronously based on the papers filed. In this regard, after reviewing the SFD along with its accompanying forms (if any), the Court may proceed to make orders, or alternatively, issue directions to parties and fix the SFD for a “paper” hearing (*via* eLitigation). Parties are not required to attend any hearing fixed (whether physically or through remote means such as video conferencing) unless the Court directs otherwise.
8. Where the Court issues directions and fixes the SFD for a “paper” hearing:
 - a. Parties shall file written submissions; supplementary affidavit(s); and/or document(s) supporting orders they wish to obtain and/or addressing directions made by the Court **at least 5 working days** before the designated hearing date.
 - b. In the event that parties comply with the directions and file the necessary documents before the specified deadline, the Court may proceed on the designated “paper” hearing date to make orders or alternatively, issue further directions and fix the SFD for a further “paper” hearing. Where further directions are issued, the same process stated in this paragraph shall apply.
 - c. In the event that no document is filed by any party by the specified deadline before any “paper” hearing , the SFD may be struck out.
9. For the avoidance of doubt, the Court retains the discretion to direct parties to attend a physical hearing or remote hearing *via* video or tele-conferencing where it deems fit. If parties fail to comply with the State Courts Practice Directions or this protocol (including the filing of the requisite forms

as specified above), the Court may proceed to make the appropriate cost orders, dismiss the SFD and/or make any directions for the efficient and proper conduct of the matter as it deems fit.

10. For the avoidance of doubt, where any respondent is legally unrepresented, the applicant(s) shall be responsible for informing the respondent of any and all directions and/or orders issued by the Court.
11. In the event that a party seeks to set aside the directions or vary/extend the timelines issued by the Court, a Summons For Further Directions (“SFFD”), together with a supporting affidavit, shall be filed for the Court’s determination and directions.
12. Where parties are able to agree on the proposed timelines and directions, they may file a Consent Summons. Where parties are unable to agree on the proposed timelines and directions, the applicant(s) shall annex to the SFFD the duly completed SFD Timelines Form and/or SFD SJE Form, stating the reasons for their proposed timelines and directions. In this regard, the applicant(s) shall comply with the pre-filing protocol stated at paragraphs 2-3 above. The Court retains the discretion to dispose of the SFFD in accordance with paragraphs 7-9 above.

ANNEX B1 – SFD Timelines Form

Directions sought	Applicant’s proposal	Respondent’s proposal
Service of Statement of Claim by the Defendant on the Third Party*	[x] days from the Order	[x] days from the Order
Service of Defence by the Third Party on the Defendant*	[x] days from the Order	[x] days from the Order
Service of Reply by the Defendant on the Third Party*	[x] days from the Order	[x] days from the Order
Filing and service of List of Documents (“LOD”) and Affidavit verifying List of Documents (“AVLOD”)	[x] weeks from the Order <input type="checkbox"/> AVLOD to be dispensed with [Please check if applicable]	[x] weeks from the Order <input type="checkbox"/> AVLOD to be dispensed with [Please check if applicable]
Inspection of documents referred to in the LOD	[x] weeks from the Order	[x] weeks from the Order
Number of witnesses	Applicant’s factual witnesses: ___ Applicant’s expert witnesses: ___	Respondent’s factual witnesses: ___ Respondent’s expert witnesses: ___
Filing and Exchange of Affidavit of Evidence-in-Chief (“AEIC”)	[x] weeks from the Order <input type="checkbox"/> AEICs of medical experts to be dispensed with [Please check if applicable]	[x] weeks from the Order <input type="checkbox"/> AEICs of medical experts to be dispensed with [Please check if applicable]
Filing of Objections to the contents of AEIC (“Objections”)	[x] weeks from the filing and exchange of AEICs	[x] weeks from the filing and exchange of AEICs
Set down for trial or filing of Notice of Appointment for Assessment of Damages	[x] weeks from the filing of Objections	[x] weeks from the filing of Objections
Number of days for trial/AD	[x] days for first tranche	[x] days for first tranche
Extraction of Order with names and capacity of witnesses	[x] weeks from the Order	[x] weeks from the Order
Costs	[Costs reserved or costs in the cause]	[Costs reserved or costs in the cause]

* Applicable only to SFDs filed pursuant to Order 16 of the Rules of Court.

Note: Parties may include the reasons for their proposed timelines, where required, in the table above.

ANNEX B2 – SFD SJE Form

1. **What issue(s) would the proposed SJE(s) be giving evidence on?**
(For example: What injuries were suffered and/or caused by the accident or what property damage was suffered and/or caused by the accident)

[Insert answer]

2. **What is the proposed SJE'(s) area of expertise?**
(For example: surveyor, accident reconstructionist, orthopedic specialist, general practitioner, neurologist)

[Insert answer]

	Applicant's nominees		Respondent's nominees	
Name and Company	[Name of Expert] of [Name of Company]			
Qualification/ Experience	[x] years in the field of [x] [x] number of times the expert has given expert evidence on this subject matter [Any other details]	[x] years in the field of [x] [x] number of times the expert has given expert evidence on this subject matter [Any other details]	[x] years in the field of [x] [x] number of times the expert has given expert evidence on this subject matter [Any other details]	[x] years in the field of [x] [x] number of times the expert has given expert evidence on this subject matter [Any other details]
Fees	Preparing report: [amount plus GST (where applicable)] Attending trial/AD: [amount plus GST (where applicable)]	Preparing report: [amount plus GST (where applicable)] Attending trial/AD: [amount plus GST (where applicable)]	Preparing report: [amount plus GST (where applicable)] Attending trial/AD: [amount plus GST (where applicable)]	Preparing report: [amount plus GST (where applicable)] Attending trial/AD: [amount plus GST (where applicable)]
Estimated time to prepare report	[x] weeks	[x] weeks	[x] weeks	[x] weeks
Other factors	[For e.g. the nominee was the original workshop surveyor or treating doctor for [x] sessions and [x] period]	[For e.g. the nominee was the original workshop surveyor or treating doctor for [x] sessions and [x] period]	[For e.g. the nominee was the original workshop surveyor or treating doctor for [x] sessions and [x] period]	[For e.g. the nominee was the original workshop surveyor or treating doctor for [x] sessions and [x] period]
Reasons for objecting to the other party's nominees	[Respondent to insert reasons]	[Respondent to insert reasons]	[Applicant to insert reasons]	[Applicant to insert reasons]

ANNEX B3 – SFD-ADR Form

Case No.:

Sub-Case No.:

Please check one of the following boxes that is relevant to your matter:

- Parties wish to opt out of CDR/ADR because one or more parties do not wish to undergo CDR/ADR (as indicated in the ADR Forms) or have attempted CDR/ADR.
- Parties wish to opt in for CDR (as indicated in the ADR Forms) and would like to be referred to the State Courts Centre for Dispute Resolution (“SCCDR”) for *mediation/conciliation/neutral evaluation [*please circle the applicable service(s)]. While the Registry will refer the matter to SCCDR, parties shall write to SCCDR separately with their unavailable dates within 1 week from the filing of the SFD. The Court may nevertheless proceed to issue timelines and directions pending attempts to resolve the dispute through CDR. Parties may propose longer timelines for the Court’s consideration.
- Parties wish to opt in for ADR services outside of SCCDR (as indicated in the ADR Forms) and will do what is required to initiate the ADR process. The Court may nevertheless proceed to issue timelines and directions pending attempts to resolve the dispute through ADR. Parties may propose longer timelines for the Court’s consideration.

ANNEX B4

Parties shall furnish reasons if their proposed timelines exceed the following parameters:

1. Filing and service of List of Documents ("LOD") and Affidavit verifying List of Documents: within 1-3 weeks from the Order
2. Inspection of documents referred to in the LOD: within 3-4 weeks from the Order
3. Filing and Exchange of Affidavit of Evidence-in-Chief ("AEIC"): within 4-8 weeks from the Order
4. Filing of Objections to the contents of AEIC ("Objections"): within 1-2 weeks from the filing and exchange of AEICs
5. Set down for trial (for O 25) or filing of Notice of Appointment for Assessment of Damages (for O 37): within 1-3 weeks from the filing of Objections
6. Trial dates:
 - a. Personal injury or non-injury motor accident cases: ½ day for Assessment of Damages ("AD")
 - b. All other cases: 1-2 days for first tranche of trial and ½ day for AD
7. Extraction of Order with names and capacity of witnesses stated: within 2-4 weeks from the Order
8. Costs reserved or costs in the cause