



# THIRD PARTY NOTICE

Provincial Court of Newfoundland



Small Claims Division

# ADDING A THIRD PARTY TO A CLAIM

COURT FILE NUMBER

What is the court file number and location shown on the Statement of Claim?

## Step 1

**COMPLETE** the THIRD PARTY NOTICE. To complete the form, use a typewriter or print clearly. There are 5 copies, so be sure all copies are legible.



## Step 2

**FILE** the THE THIRD PARTY NOTICE by taking or mailing it to the Provincial Court (Small Claims Division). The staff will check your form and, when it is accepted for filing, stamp it. Then they will return the copies you need for your records and for serving on the third party.



## Step 3

**SERVE** the third party with

- a copy of the third party notice
- a blank reply form
- a copy of the statement of claim
- a copy of the reply to the statement of claim
- a copy of the notice of settlement conference or trial, if one has been issued.

The purpose is to be sure the third party knows about the lawsuit.

Within 21 days of serving the third party, file a certificate of service, to prove the third party has been served with the notice.



## Step 4

**AND THEN**, if the third party files a reply, the third party must serve all parties with a copy of the reply, and the court will set a date for a settlement conference or a trial. If no reply is filed at the court within the time limit on the THIRD PARTY NOTICE you may apply to a judge for a judgment against the third party.

## TO:

Are you sure you have used the proper name? If you wish to add a company as a third party, you can get the legal name through the Registry of Companies.

## WHAT HAPPENED?

You do not need to tell everything about your case here. You must tell just enough to let the third party know why you believe they should pay part or all of the claim against you. Keep your description brief. You will have a full opportunity to present all the facts and provide supporting documents at a settlement conference or trial.

## HOW MUCH?

If your claim is made up on several parts, separate them here and show the amount you are claiming for each part. For example:

a Amount owing on unpaid invoice	\$\$\$\$\$\$\$\$\$\$\$\$
b Interest under the contract	\$\$\$\$\$\$\$\$\$\$\$\$

The third party might agree with part of your claim if you show its separate parts.

