

## NOTICE OF APPEAL

### COURT DETAILS

Court Supreme Court of New South Wales, Court of Appeal  
Registry Sydney  
Case number

### TITLE OF PROCEEDINGS

[First] appellant **[name]**

#Second appellant #Number of appellants (if more than two)

[First] respondent **[name]**

#Second respondent  
#Number of respondents (if more than two)

### PROCEEDINGS IN THE COURT BELOW

Title below [eg X Pty Limited and another v Y and others]

Court below

Case number below

Date[s] of hearing

Material date

Decision of [Judicial officer's name and designation]

### FILING DETAILS

Filed for **[name]** [role of party eg appellant]

#Filed in relation to [eg whole decision below, decision below in relation to (number) cross-claim, decision below in relation to quantum]  
[include only if form to be eFiled]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

#Contact email [email address]

### HEARING DETAILS

This notice of appeal is listed for directions at [time, date and place to be inserted by the registry unless otherwise known].

### TYPE OF APPEAL

[Select type of appeal from the list provided in section 6 of the Guide to preparing documents, available on the UCPR website at [www.lawlink.nsw.gov.au/ucpr](http://www.lawlink.nsw.gov.au/ucpr) or at any NSW court registry.]

**DETAILS OF APPEAL**

- 1 This appeal is brought under [state the statutory provision under which the appeal is brought].
- 2 #This notice of appeal is not filed pursuant to leave to appeal.  
#Leave to appeal was granted on [date].
- 3 #The appellant has not filed a notice of intention to appeal.  
#The appellant has filed and served a notice of intention to appeal, which was served on the [#prospective respondent #last of the prospective respondents] on [date].
- 4 #The appellant appeals from the whole of the decision below.  
#The appellant appeals from the part of the decision below in relation to [state the relevant part of the decision below].

**APPEAL GROUNDS**

- 1 [State briefly, but specifically, the grounds relied on in support of the appeal.]
- 2 [ ]

**ORDERS SOUGHT**

- 1 Appeal allowed.
- 2 [#Judgment #Order (number eg 3, if appealing part only)] of the court below be set aside.
- 3 [State what judgment, order, verdict or determination the appellant seeks in place of the decision of the court below.]
- 4 The [role of party eg respondents] pay the appellant's costs.

**#SIGNATURE OF LEGAL REPRESENTATIVE**

#This notice of appeal does not require a certificate under section 347 of the Legal Profession Act 2004.

#I certify under section 347 of the Legal Profession Act 2004 that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in these proceedings has reasonable prospects of success.

I have advised the appellant[s] that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity [eg solicitor on record, contact solicitor]

Date of signature

#### **#SIGNATURE OF OR ON BEHALF OF APPELLANT IF NOT LEGALLY REPRESENTED**

I acknowledge that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity [eg authorised officer, role of party]

Date of signature

#### **NOTICE TO RESPONDENT**

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the orders sought in the notice of appeal and for the appellant's costs of bringing these proceedings.

Before you can appear before the court, you must file at the court an appearance in the approved form.

#### **HOW TO RESPOND**

**Please read this notice of appeal very carefully. If you have any trouble understanding it or require assistance on how to respond to the notice of appeal you should get legal advice as soon as possible.**

You can get further information about what you need to do to respond to the notice of appeal from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au).
- The court registry for limited procedural information.

#### **REGISTRY ADDRESS**

Street address  
 Supreme Court of New South Wales, Court of Appeal  
 Law Courts Building  
 Queen's Square  
 Level 5, 184 Phillip Street  
 Sydney NSW 2000

Postal address	GPO Box 3 Sydney NSW 2001
DX	DX 829 Sydney
Telephone	1300 679 272

## **PARTY DETAILS**

A list of parties must be filed and served with this notice of appeal.

[on separate page]

**FURTHER DETAILS ABOUT APPELLANT[S]**

[Do not include this section if you have previously given this information to the court in these appeal proceedings, eg in a summons for leave to appeal.]

**[First] appellant**

Name

Address

[The filing party must give the party's address.]

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

#Frequent user identifier

[include if the appellant is a registered frequent user]

[repeat the above information as required for the second and each additional appellant]

**#Legal representative for appellant[s]**

Name

[name of solicitor on record]

Practising certificate number

Firm

[name of firm]

#Contact solicitor

[include name of contact solicitor if different to solicitor on record]

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

DX address

Telephone

Fax

Email

Electronic service address

[#email address for electronic service eg [service@emailaddress.com.au](mailto:service@emailaddress.com.au) #Not applicable]**#Contact details for appellant[s] acting in person or by authorised officer**

#Name of authorised officer

#Capacity to act for appellant[s]

Address for service

[The filing party must give an address for service. This must be an address in NSW unless the exceptions listed in UCPR 4.5(3) apply. State "as above" if the filing party's address for service is the same as the filing party's address stated above.]

#as above

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#Telephone

#Fax

#Email

**DETAILS ABOUT RESPONDENT[S]****[First] respondent**

Name

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

[repeat the above information as required for the second and each additional respondent]