

# APIL webinars

## What do you do if the defendant makes an early Part 36 offer?

Friday, 8 July 2022

12:00 - 13:00

In the recent case of *MRA -v- The Educational Fellowships Ltd [2022] EWHC 1069 (QB)* it was held that the claimant had to face the usual Part 36 consequences when a Part 36 offer was accepted late. The fact that there was uncertainty as to prognosis when the offer was made and that costs would eat heavily into the claimant's damages did not lead to the court disapplying the usual rules in relation to costs.

The making of an early Part 36 offer can cause major problems for claimants and their lawyers. An understanding of the rules, the relevant cases and the steps that need to be taken is essential to all those involved in litigation.

This webinar looks at:

- Why a Part 36 offer can never be ignored
- The rules relating to late acceptance
- The cases relating to late acceptance
- The practical steps the claimant's lawyers can do to mitigate the risks
- Assessing the risks and advising the client



Gordon Exall was called to the Bar in 1991 having originally qualified and practised as a solicitor. He practices from Kings Chambers.

He works almost wholly in the area of personal injury litigation and in the law relating to civil procedure, limitation and costs. He has a particular interest in issues relating to damages, evidence and the drafting of special damages schedules.

Gordon is a former executive committee member of APIL and has lectured widely for APIL and CPIL on personal injury and procedure topics. Gordon is the author of written Personal Injury Practice Notes (Cavendish); The APIL Guide to Fatal Accidents (4th edition); the 14th edition of Munkman and Exall on Damages, and Periodical Payments the New Law. He also writes the section on limitation for the APIL loose-leaf.

Gordon has appeared in several of the leading cases relating to procedure, service of the claim form and the assessment of damages.

Gordon writes the "Civil Litigation Brief", one of the most widely read sites on litigation, evidence and procedure.

In his spare time Gordon plays guitar and mandolin in a rock band (which has performed at APIL conferences). He has four children and lives in York.

# What do you do if the defendant makes an early Part 36 offer?

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Large office (7 or more delegates)	£165 + VAT	
Whole organisation (all staff at all offices)	£320 + VAT	

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