



Senior Courts Costs Office
By Email & E-Filing Only

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8 September 2021

Dear Sirs

EMIL KIRKEGAARD v OLIVER SMITH
SCCO Ref: SCCO-2021-BTP-000142

We write further to the above matter and on behalf of Keidan Harrison LLP, Solicitors for the Defendant.

Following the provisional assessment undertaken by Deputy Master Friston, and upon Hazel Ford confirming by telephone on 24 August 2021 that the Provisional Assessment had been served on the Claimant on 17 August 2021 and as such, the 21 day period for challenging the assessment would expire on 7 September 2021, we confirm on behalf of the Defendant that they do not intend to challenge the assessment.

We also confirm that we have not been copied into any correspondence from the Claimant seeking to challenge the assessment.

Furthermore, we emailed the Claimant on 2 and 7 September inviting him to agree the figures following the assessment but no response was received. We therefore enclose a copy of the assessed Bill together with a Final Cost Certificate within which we have incorporated the following figures (given the Defendant has beaten their own Part 36 offer made on 15 September 2020):

£19,317.52 costs in the Bill

£583.74 Interest at 8% on these costs from 21/05/20 until Part 36 offer expired on 06/10/20 (138 days @ £4.23 a day)

£1,872.50 Interest at 10% above base rate (currently 0.1%) on these costs from expiry of the Part 36 offer onwards (07/10/20 onwards) (350 days @ £5.35 a day to today's date plus 14 days for payment)

£1,931.75 10% additional amount payable pursuant to Part 36

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£5,437.16 costs of assessment (as per attached N260)

£29,142.67 Total Costs

The Court will note that we have included the Claimant's address for service in the Final Cost Certificate as his Denmark address on the understanding that the Notice of Change filed by Samuels Solicitors has indeed been accepted by the Court (our email to Hazel Ford of 7 September 2021 refers). If the Court does not consider this to be the correct address for service, please advise and we will amend the Cost Certificate.

We would be grateful if the Court would approve the above figures and seal the Final Cost Certificate accordingly.

Yours faithfully

MRN Solicitors

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Please note our offices will be closed for Jewish Holidays on 7th, 8th, 16th, 21st , 22nd, 28th and 29th September. We apologise for any inconvenience caused.