

Before [XXXXX] on [DATE];

UPON the court taking notice of the COVID 19 (Coronavirus) pandemic and the measures being taken in response and the Protocol regarding remote hearings issued on 20 March 2020 ("the Protocol") a copy of which can be found at <https://www.judiciary.uk/wp-content/uploads/2020/03/Civil-court-guidance-on-how-to-conduct-remote-hearings.pdf> ;

AND UPON the parties being referred to the Guidance for the Conduct of Remote Costs Hearings a copy of which can be found at <https://www.associationofcostslawyers.co.uk>;

AND UPON the court having considered matters on the papers;

AND UPON it being recorded that the court expects the parties to do their utmost to cooperate with each other in all things and lodge consent orders wherever possible;

AND UPON the parties being reminded of the HMCTS Email Guidance referred to in CPR PD 5B which provides that the total size of an email, including attachments, must not exceed 10 megabytes;

AND WITHOUT A HEARING AND ON THE COURT'S OWN INITIATIVE;

IT IS ORDERED THAT: -

1. Upon receipt of this Order, the parties shall use their best endeavours to agree: -
 - a. A mode of remote hearing to allow the costs hearing in this matter to proceed on the listed date (to include suggesting a platform); and
 - b. The scope of the remote hearing.

2. Not less than 20 business days prior to the date fixed for the costs hearing, or (if this is not possible due to the proximity of the hearing, as soon as practicable), the receiving party shall send an email to the court at [email address] with a request for approval of the agreed mode, platform and, if applicable, scope of remote hearing.

3. In the event that the parties fail to reach agreement as to mode, platform and/or scope (including if one or both of the parties would prefer to be listed for an hearing in person once the Covid-19 pandemic resolves), the parties will email the court as above with their reasons, upon which the court will issue directions which may include the vacation of the costs hearing or the requirement for the parties to attend a brief telephone directions hearing.
4. Where it is proposed that the hearing is to address only preliminary issues, the parties must identify those preliminary issues by reference to the numbered points of dispute.
5. Emails must contain the claim number, the name of the case and the date and time of the hearing in the subject line.
6. Available platforms for remote hearings include (non-exhaustively) Skype for Business/Microsoft Teams, CVP via Kinly Video Conferencing, BT MeetMe, and ordinary telephone call. It is likely that a video hearing via Skype for Business/Microsoft Teams will be preferred over any other platform. If the court does not agree with the parties' suggested platform, it will propose an alternative.
7. Because this order has been made without a hearing a party may apply to set it aside or to vary its terms. Such an application:
 - a. may be made by email to [email address];
 - b. must be made within 7 days of service of this order and be copied to all parties;
 - c. must include the claim number, the name of the case, the date of the listed hearing and the words "APPLICATION TO VARY" in uppercase letters in the subject line of the email;
 - d. must attach a draft of the order the court is invited to make;
 - e. must set out in the body of the email on what grounds the proposed order is sought;
 - f. will be dealt with on paper without a hearing.

Dated