

DIRECTIVE: IN RE DRAFT STANDARD ORDER FOR SIC IN RE MEDIATION
PROTOCOL:

Please note this is the pro-forma order counsel should use in the mediation matters before
Maier-Frawley J this week, 18 to 21 May 2026.

ORDER

1. The plaintiff/defendant/respondent is declared to be delinquent by reason of its default in failing to engage in mediation within the terms of the Mediation Directive and Protocol of 22 April 2025 (and its revisions) in that it failed
2. The plaintiff/defendant/respondent is ordered to comply with its obligation to within 15 days of service of this order.
3. In the event that the plaintiff/defendant/respondent fails to comply as ordered in para 2, the applicant shall be excused from engaging in mediation and be forthwith entitled to enrol the matter by application on notice on the special default judgment roll to seek:
 - 3.1. An order holding the plaintiff/defendant/respondent in contempt of this order,
 - 3.2. An order striking out the claim/defence of the plaintiff/defendant/respondent
 - 3.3. An order dismissing the claim/granting relief in terms of the particulars of claim.
 - 3.4. An order of costs on the attorney and client scale