

**Letter asking the creditor NOT to take you to court.**

Use this letter when the creditor is threatening legal action which you would prefer that they do not take.

Your Name  
Address and  
Postcode

Date:

Creditors Name  
Address and  
Postcode

Dear Sir/Madam

**Account No:**

Thank you for your letter/telephone call of ..... I am/we are very disappointed that we seem unable to reach a satisfactory compromise in this case. As I/we have already explained, I/we can only afford to make payments to you of £..... per month. Please see a copy of our budget sheet which details our income expenditure and debts. As you will see we are unable to make a better offer at this time.

You have stated in correspondence your intention to issue a County Court Claim against me/us.

The commencement of legal proceedings under such circumstances could go against the 'Overriding Objectives' of the Civil Procedure Rules. You will be aware that the 'Overriding Objectives' underpin everything the court does. Furthermore, paragraph 4 of the Practice Direction Protocols states that in the cases not covered by an approved pre-action protocols, the court will expect the parties to *"to act reasonably... in trying to avoid the necessity for the start of proceedings"*.

I/we would suggest that your refusal to accept my/our offer could be viewed as unreasonable and I/we would ask the court to consider this matter with reference to the 'Overriding Objectives'.

The offer of £..... is of course still open to you to accept.

I/We look forward to hearing from you

Yours faithfully

[Your signature]