



**MOTOR CARRIER CARGO SHORTAGE
AND DAMAGE CLAIM FORM**

Send claim to:
PAYNE TRANSPORTATION LP
P.O. BOX 67, GRP. 200, R.R.#2
WINNIPEG, MB R3C 2E6
FAX: (204) 632-6859

Claim in the amount of \$ _____
 is hereby filed for (check one): Shortage Damage
 Date Filed _____
 Claimant's Claim No. _____
 Bill of Lading No. _____ Date _____
 Carrier Pro No. _____ Del. Date _____

CLAIM PAYABLE TO:	
NAME _____	
STREET OR P.O. BOX NO. _____	
CITY, STATE AND ZIP CODE _____	COUNTRY _____

SHIPPER	CONSIGNEE
ADDRESS	ADDRESS
CITY, STATE AND ZIP CODE _____ COUNTRY _____	CITY, STATE AND ZIP CODE _____ COUNTRY _____

CLAIM MUST BE SUPPORTED BY A DETAILED STATEMENT SHOWING HOW THE AMOUNT WAS DETERMINED. INCLUDE A COMPLETE DESCRIPTION OF LOST ITEMS: SIZE, COLOR, MARKINGS, ETC.

WERE ARTICLES <input type="checkbox"/> NEW <input type="checkbox"/> USED <input type="checkbox"/> WEIGHT OF LOST OR DAMAGED ARTICLE	PIECES	\$ AMOUNT CLAIMED
TOTAL AMOUNT CLAIMED		\$ _____

NOTE: Claim should be supported by the following documents. Failure to include sufficient documentation may delay conclusion of the claim.

Documentation of transportation contract <input type="checkbox"/> Copy of freight bill Documentation of value/amount claimed <input type="checkbox"/> Complete vendor invoice or photocopy showing all discounts* <input type="checkbox"/> Original repair invoice or photocopy showing hours to repair, labor rate, and material cost*	Documentation that loss or damage occurred <input type="checkbox"/> Noted consignee copy of freight bill Other documents to support claim <input type="checkbox"/> Copy of Bill of Lading <input type="checkbox"/> Inspection Report *Without this document, your claim cannot be processed.
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Remarks: _____

The foregoing statement of facts is hereby certified as correct.

Claimant's Name (print) _____

Claimant's Signature _____

Date _____

Telephone No. _____

Fax No. _____

E-mail Address _____

BE SURE TO ATTACH LETTER OF EXPLANATION IF THERE ARE SPECIAL CIRCUMSTANCES WE SHOULD KNOW ABOUT

Note: Review information on reverse before you complete this claim.

The following provisions of the Bill of Lading and National Motor Freight Classification are furnished to assist claimant in determining:

- 1) *When to file a claim*
- 2) *With whom claim should be filed*
- 3) *How to file a claim*

Bill of Lading Contract Terms and Conditions

Section 11

Filing of Claims: Carrier is not liable for loss or damage to any goods carried under this Bill of Lading unless a written demand is filed with and received by a proper Carrier within nine (9) months (sixty [60] days for shipments originating in Canada) after the date of delivery of such goods, or in the case of failure to make delivery, then the written demand must be filed within nine (9) months after a reasonable time (not to exceed four [4] business days) for delivery has elapsed. The written demand must contain an assertion of Carrier liability for the alleged loss or damage; facts sufficient to identify the shipment or shipments involved; and a demand for the specific amount claimed. In Canada, the final statement of the claim must be filed within nine (9) months from the date of shipment. Carrier shall not be liable in any lawsuit based on a cargo claim for loss or damage, unless the lawsuit is filed in a court of law against Carrier no later than two (2) years and one (1) day from the date when written notice is given by the Carrier to the claimant that the Carrier has disallowed the claim or any part thereof.

ITEM	National Motor Freight Classification
300105	FILING OF CLAIMS
	<p>a) Compliance with Regulations. A claim for loss or damage to baggage or for loss, damage, injury, or delay to cargo will not be voluntarily paid by a carrier unless filed in writing, as provided in subparagraph (b) below, with the receiving or delivering carrier or carrier issuing the bill of lading receipt, ticket, or baggage check, or carrier on whose line the alleged loss, damage, injury, or delay occurred, within the specified time limits applicable thereto and as otherwise may be required by law, the terms of the bill of lading or other contract of carriage, and all tariff provisions applicable thereto.</p> <p>b) Minimum filing requirements. A communication in writing from a claimant, filed with a proper carrier within the time limits specified in the bill of lading or contract of carriage or transportation, and (1) containing facts sufficient to identify the baggage or shipment (or shipments) of property involved, (2) asserting liability for alleged loss, damage, injury, or delay, and (3) making claim for the payment of a specified or determinable amount of money, will be considered as sufficient compliance with the provisions for filing claims embraced in the bill of lading or other contract of carriage.</p> <p>c) Bad order reports, appraisal report of damage, notations of exception on freight bills or other documents, inspection reports issued by carrier inspectors or inspection agencies, tracers or inspection requests do not comply with claim filing requirements.</p>
300110	DOCUMENTS REQUIRED IN SUPPORT OF CLAIMS
	<p>a) A written demand for payment, asserting carrier liability for alleged loss, damage, injury, or delay, and containing facts sufficient to identify the shipment or shipments involved will constitute a claim, regardless of form, and will be required.</p> <p>b) When claimant does not appear from the supporting documents to be an interested party, carrier will require any necessary written assignment or other proof to determine the claimant is the proper party to receive any claim payment.</p> <p>c) Claim must be supported by either the original invoice; a photographic copy of the original invoice; an exact copy thereof, or an extract therefrom, certified by the claimant or his authorized representative to be true and correct with respect to the property involved in the claim and reflecting all trade or other discounts, allowances, or deductions of any nature. When the original invoice is not submitted, such document must be made available for inspection by carrier representative upon request.</p> <p>d) When determined by the carrier to be a necessary part of the investigation, the following will be required:</p> <ol style="list-style-type: none"> 1. The original freight bill and bill of lading or other contract of carriage. When claimant cannot furnish these documents, carrier may require suitable indemnity from the claimant. 2. When the property involved in the claim has not been invoiced to the consignee or where invoice does not show price or value, or where the property has not been sold but transferred at bookkeeping values only, or where property has been shipped on consignment or approval, documentation to establish destination value in the quantity shipped and certification or the correctness thereof. 3. In order to establish the full recoverable loss caused by the carriers, the original account of sale, showing the date of sale and the amounts realized on the damaged and undamaged portions, respectively, showing grade, brands, quality, variety, size, and condition, together with any deductions, allowances, and commissions, or a copy thereof certified correct over the signature of the claimant or an authorized representative thereof. 4. When shipment has received prior transportation and is reshipped from a distribution or warehousing point but has been opened and examined and contents verified as being in undamaged condition, certification thereof must be made by a person having actual knowledge of such inspection and a statement to that effect incorporated in such certification. 5. When an asserted claim for loss of an entire package or an entire shipment cannot be otherwise authenticated upon investigation, the carrier will obtain from the consignee of the shipment involved, a certified statement in writing that the property for which the claim is filed has not been received from any source.