FORM 32 (RULE 8-1 (4))

[Style of Proceeding]

NOTICE OF APPLICATION

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

[*The notice of application must be served in accordance with Rule 8-1. A hearing date is not fixed until a Notice of Hearing of Application is filed.*]

Name(s) of applicant(s): .....

To: .....[*name(s) of party(ies) or person(s) affected*].....

TAKE NOTICE that an application will be made by the applicant(s) to the presiding judge or associate judge at the courthouse at .....[*address of registry in which the proceeding is being conducted*]..... on a date to be set by Notice of Hearing of Application for the order(s) set out in Part 1 below.

The applicant(s) estimate(s) that the application will take .....[*time estimate*]..... .

The applicant(s) propose(s) that the matter will be heard on .....[*insert date, date range, or assize*]..... .

[*Check whichever one of the following boxes is correct.*]

[ ] This matter is within the jurisdiction of an associate judge.

[ ] This matter is not within the jurisdiction of an associate judge.

Part 1: ORDER(S) SOUGHT

[*Using numbered paragraphs, set out the order(s) that will be sought at the application and indicate against which party(ies) the order(s) is(are) sought.*]

1

2

Part 2: FACTUAL BASIS

[*Using numbered paragraphs, set out a brief summary of the facts supporting the application.*]

1

2

[*If any party sues or is sued in a representative capacity, identify the party and describe the representative capacity.*]

Part 3: LEGAL BASIS

[*Using paragraphs numbered sequentially from Part 2 above, specify any rule or other enactment relied on and provide a brief summary of any other legal arguments on which the applicant(s) intend(s) to rely in support of the orders sought. If appropriate, include citation of applicable cases.*]

3

4

Part 4: MATERIAL TO BE RELIED ON

[*Using numbered paragraphs, list the affidavits served with the notice of application and other affidavits and other documents already in the court file relevant to the application on which the applicant(s) will rely. Each affidavit included on the list must be identified as follows: "*Affidavit #*.....[sequential number, if any, recorded in the top right hand corner of the affidavit]*..... of *.....[name]*....., made .....[date]*.....".]

1

2

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 21 days after service of this notice of application, serve the following on the applicant and on every other party of record:

(a) a copy of your unfiled application response;

(b) a copy of the affidavits or other evidence that you intend to refer to at the hearing of this application and that has not already been served on that person;

(c) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7 (9).

Date: ....
Signature of [ ] applicant [ ] lawyer for applicant(s)

.....[*type or print name*].....

To be completed by the court only:

Order made

[ ] in the terms requested in paragraphs ..... of Part 1 of this notice of application

[ ] with the following variations and additional terms:
.....
.....
.....
.....

Date: ....
Signature of [ ] Judge [ ] Associate Judge

APPENDIX

[*The following information is provided for data collection purposes only and is of no legal effect.*]

THIS APPLICATION INVOLVES THE FOLLOWING:

[*Check the box(es) below for the application type(s) included in this application.*]

- [ ] discovery: comply with demand for documents
- [ ] discovery: production of additional documents
- [ ] other matters concerning document discovery
- [ ] extend oral discovery
- [ ] other matter concerning oral discovery
- [ ] amend pleadings
- [ ] add/change parties
- [ ] summary judgment
- [ ] summary trial
- [ ] service
- [ ] mediation
- [ ] adjournments
- [ ] proceedings at trial
- [ ] case plan orders: amend
- [ ] case plan orders: other
- [ ] experts
- [ ] none of the above