FORM 33 (RULE 8-1 (10))

[Style of Proceeding]

APPLICATION RESPONSE

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

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

Application response of: .....[*party(ies)*]....., (the "application respondent(s)")

THIS IS A RESPONSE TO the notice of application of .....[*party(ies)*]..... dated .....[*date*]..... .

The application respondent(s) [*Check whichever one of the following boxes is correct and complete the required information.*]

[ ] agree to the applicant's hearing date of .....[*date*].....

[ ] do not agree to the applicant's hearing date and propose the following date(s): .....[*date(s)*].....

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

Part 1: ORDERS CONSENTED TO

The application respondent(s) consent(s) to the granting of the orders set out in the following paragraphs of Part 1 of the notice of application on the following terms: .....[*set out paragraph numbers and any proposed terms*]..... .

Part 2: ORDERS OPPOSED

The application respondent(s) oppose(s) the granting of the orders set out in paragraphs .....[*list paragraph numbers*]..... of Part 1 of the notice of application.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The application respondent(s) take(s) no position on the granting of the orders set out in paragraphs .....[*list paragraph numbers*]..... of Part 1 of the notice of application.

Part 4: FACTUAL BASIS

[*Using numbered paragraphs, set out a brief summary of the facts on which the orders sought in the application should not be granted.*]

1

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Part 5: LEGAL BASIS

[*Using paragraphs numbered sequentially from Part 4 above, specify any rule or other enactment relied on and provide a brief summary of any other legal arguments on which the application respondent(s) intend(s) to rely in opposing the orders sought in the application. If appropriate, include citation of applicable cases.*]

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Part 6: MATERIAL TO BE RELIED ON

[*Using numbered paragraphs, list the affidavits served with this application response and other affidavits and other documents already in the court file relevant to the application on which the application respondent(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

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[*Check whichever one of the following boxes is correct and complete any required information.*]

[ ] The application respondent has filed in this proceeding a document that contains the application respondent's address for service.

[ ] The application respondent has not filed in this proceeding a document that contains an address for service. The application respondent's ADDRESS FOR SERVICE is: ..... [*Set out the address(es) for service in compliance with Rule 4-1 (1) of the Supreme Court Civil Rules and any additional address(es) under Rule 4-1 (2) that the application respondent wishes to include.*]..... .

Date: .....

.....

Signature of [ ] application respondent
[ ] lawyer for application respondent(s)

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