

Courts of Justice Act

STATUS NOTICE: ACTION NOT ON A TRIAL LIST

(General heading)

STATUS NOTICE: ACTION NOT ON A TRIAL LIST

TO THE PARTIES AND THEIR LAWYERS

1. According to the records in the court office:
 - a) more than 2 years have passed since a defence in this action was filed;
 - b) this action has not been placed on a trial list; and
 - c) this action has not been terminated by any means.

2. AS A RESULT, THIS ACTION SHALL BE DISMISSED FOR DELAY, with costs, unless within 90 days of service of this Notice,
 - a) the action is set down for trial;
 - b) the action is terminated by any means;
 - c) documents have been filed in accordance with subrule 48.14(10); or
 - d) a judge or case management master orders otherwise.

NOTE: A "defence" means a statement of defence, a notice of intent to defend, or a notice of motion in response to a proceeding, other than a motion challenging the court's jurisdiction.

NOTE: You may request that the registrar arrange a status hearing to show cause why the action should not be dismissed. Unless the presiding judge or case management master orders otherwise, a status hearing may be held in writing by filing, at least 7 days before the day of the hearing, a timetable signed by all the parties to the action that contains the information set out in subrule 48.14(11) and a draft order establishing the timetable.

NOTE: Unless the court orders otherwise, where the plaintiff is a party under a disability, an action may not be dismissed for delay under rule 48.14 unless the defendant gives notice to the Children's Lawyer or, if the Public Guardian and Trustee is litigation guardian of the plaintiff, to the Public Guardian and Trustee.

Date _____

Signed by _____

Local registrar

Address of
court office _____

TO *(Names and addresses of all lawyers and parties acting in person)*