Form 2.1A

Courts of Justice Act

REQUEST FOR STAY OR DISMISSAL UNDER RULE 2.1

*(General heading)*

REQUEST FOR STAY OR DISMISSAL UNDER RULE 2.1

I REQUEST that the court consider *(check one box below)*:

making an order staying or dismissing this proceeding under rule 2.1.01

staying or dismissing the motion made by *(insert moving party’s name)* to be heard on *(insert motion date)* under rule 2.1.02,

because the *(insert* “proceeding” *or* “motion”*)* appears on its face to be frivolous or vexatious or otherwise an abuse of the process of the court.

*Complete either Part A (request to the Superior Court of Justice and Divisional Court) or Part B (request to the Court of Appeal)*

Part A: Request to the Superior Court of Justice and Divisional Court

*(Check one box below to indicate which document is attached to this request for review* *by the Superior Court of Justice or Divisional Court. Do not include any materials other than the document referred to in the box selected.)*

I have included with this request the opposing party’s *(select all that apply)*:

statement of claim, notice of application or notice of appeal.

notice of motion or motion record.

in the case of a duplicative proceeding, the previous statement of claim, notice of application or notice of appeal in court file *(insert complete file number(s))*, and the disposition(s) (if any).

in the case of a duplicative motion, the previous notice of motion or motion record for the motion(s) heard on the *(insert hearing date(s))* and the disposition(s) (if any).

Part B: Requests to the Court of Appeal

*(Outline the nature of the appeal to the Court of Appeal or motion and the grounds upon which you rely to have it dismissed. Add rows if necessary.)*

I have included with this request an electronic bookmarked volume containing *(select all that apply)*:

notice of appeal and/or notice of motion for leave to appeal.

relevant previous issued and entered orders, including any vexatious litigant orders made pursuant to s. 140 (1) of the *Courts of Justice Act* and the reasons for such orders.

other *(specify)*:

*(Date) (Name, address and telephone number of lawyer for party submitting request or of party submitting request)*

TO *(Name and address of plaintiff’s/applicant’s/appellant’s/moving party’s lawyer or plaintiff/ applicant/appellant/moving party)*

RCP-E 2.1A (June 1, 2024)