Form 2.2G

Courts of Justice Act

VEXATIOUS LITIGANT order

(Court file no.)

*(Court)*

(Name of judge) (Day and date order made)

[SEAL]

*(Title of Proceeding)*

VEXATIOUS LITIGANT order

*(Select one and complete:)*

[ ]  THE MOTION FOR A VEXATIOUS LITIGANT ORDER made by *(identify moving party)* on *(date)*

 [ ]  THE APPLICATION FOR A VEXATIOUS LITIGANT ORDER made by *(identify applicant)* on *(date)*

 [ ]  THE PROPOSED CONSIDERATION OF A VEXATIOUS LITIGANT ORDER made on *(date)*

against *(identify person who is to be the subject of the vexatious litigant order)* under subsection 140 (1) of the *Courts of Justice Act* was heard this day *(or* on *(date))*, at *(court location)* *(or* by telephone conference or by video conference or in writing, without the attendance of parties or lawyers*)*.

 ON READING the *(give particulars of the material filed on the order to hold a hearing)* *(where applicable,* and on hearing the submissions of the lawyer(s) for *(identify party)*, *(where applicable, add* *(identify party)* in attendance *or* no one in attendance for *(identify party)*, although properly served *(or* sent the notice*)* as appears from *(indicate proof of service or record of recipients, as applicable))*,

1. THIS COURT DECLARES that *(identify person who is to be the subject of the vexatious litigant order)*:

a. has persistently and without reasonable grounds instituted vexatious court proceedings *(*and *(or* or*)* has conducted court proceedings in a vexatious manner*)* within the meaning of subsection 140 (1) of the *Courts of Justice Act*; and

b. is a vexatious litigant pursuant to subsection 140 (1) of the *Courts of Justice Act*.

*(Order restricting ALL proceedings in future without leave)*

2. THIS COURT ORDERS as follows:

a. *(Identify person who is to be the subject of the vexatious litigant order)* is prohibited from instituting or continuing any proceeding in any court in the Province of Ontario, except and until such time as leave is granted by a judge of the Superior Court of Justice, pursuant to subsection 140 (3) of the *Courts of Justice Act*.

b. All proceedings previously instituted by *(identify person who is to be the subject of the vexatious litigant order)* in any court in the Province of Ontario that are not yet finally disposed are hereby stayed except and until such time as leave is granted by a judge of the Superior Court of Justice pursuant to subsection 140 (3) of the *Courts of Justice Act*.

c. *(Identify person who is to be the subject of the vexatious litigant order)* shall deliver a copy of this Order, and the reasons for decision, to any person or body against whom *(*he / she / they*)* institute(s) or continue(s) any proceeding *(insert if applicable:* or complaint or request for investigation*)* in any court, administrative body and/or tribunal, regulatory body, the police and the Crown.

d. Any proceeding instituted by *(identify person who is to be the subject of the vexatious litigant order)* without leave of a judge of the Superior Court of Justice and in violation of this order shall be a nullity *ab initio*.

e. This Order is subject to the right of appeal *(or, if made in the Court of Appeal:* review*)* in accordance with subsection 140 (2.3) of the *Courts of Justice Act.*

*(Order restricting CERTAIN proceedings in future without leave)*

2. THIS COURT ORDERS as follows:

a. *(Identify person who is to be the subject of the vexatious litigant order)* is prohibited from instituting or continuing any proceeding in any court in the Province of Ontario,

*(Select all that apply and complete)*

i. against *(identify opposing parties against whom proceedings may not be instituted or continued)*

and/or

ii. concerning *(identify subject matter in respect of which proceedings may not be instituted or continued)*,

except and until such time as leave is granted by a judge of the Superior Court of Justice, pursuant to subsection 140 (3) of the *Courts of Justice Act*.

b. All proceedings against the parties *and/or* concerning the subject matter identified in clause (a) that were previously instituted by *(identify person who is to be the subject of the vexatious litigant order)* in any court in the Province of Ontario and that are not yet finally disposed are hereby stayed except and until such time as leave is granted by a judge of the Superior Court of Justice, pursuant to subsection 140 (3) of the *Courts of Justice Act*.

c. *(If applicable, based on limitations of the order under clause (a)) (Identify person who is to be the subject of the vexatious litigant order)* shall deliver a copy of this Order, and the reasons for decision, to any person or body against whom *(*he / she / they*)* institute(s) or continue(s) any proceeding *(insert if applicable:* or complaint or request for investigation*)*, in any court, administrative body and/or tribunal, regulatory body, the police and the Crown.

d. Any proceeding against the parties *and/or* concerning the subject matter identified in clause (a) instituted by *(identify person who to be is the subject of the vexatious litigant order)* on or after the date of this Order without leave of a judge of the Superior Court of Justice and in violation of this Order shall be a nullity *ab initio*.

e. This Order is subject to the right of appeal *(or, if made in the Court of Appeal:* right of review*)* provided in subsection 140 (2.3) of the *Courts of Justice Act.*

*(Order for costs)*

3. THIS COURT FURTHER ORDERS as follows:

a. *(Identify person who is the subject of the vexatious litigant order)* shall pay costs to *(identify party)* in the amount of *(specify amount)*, payable immediately *(or:* within *(number of days))* days following the date of this Order.

b. This Order bears postjudgment interest in accordance with section 129 of the *Courts of Justice Act*.

*(Other terms as appropriate)*

4. THIS COURT FURTHER ORDERS *(or* DECLARES*, or as may be)* that …………….

*(Aliases and controlled entities)*

5. *(If applicable)* IN THIS ORDER, a reference to *(identify person who is to be the subject of the vexatious litigant order)* shall be deemed to include a reference to *(insert all known aliases)* and to any other alias or proxy used by *(*him / her / them*)*, *(if applicable:* and to any corporations or other entities owned or controlled by *(*him / her / them*)*, either past, present or in the future*)*.

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| --- | --- |
| Date of issuance ……………………………….… |  |
| *(to be completed by registrar)* | *(Signature of judge, officer or registrar)* |

RCP-E 2.2G (June 1, 2024)