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| **FORM 22** |
| ORDER DIRECTING A REFERENCE FOR TRIAL UNDER SECTION 58 OF THE ACT |
|  |  | *Construction Act* |  |  |
|  |  |  |  | Court File No. |
| ***ONTARIO*SUPERIOR COURT OF JUSTICE** |
|       |  |       |
| (name of judge) |  | (day and date) |
| **BETWEEN** |       | Plaintiff(s) |
| **and** |
| (court seal) |       | Defendant(s) |
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| **ORDER** |
| On motion of the plaintiff made under subsection 58(1) of the *Construction Act* in the presence of the lawyer for the plaintiff(s) and defendant(s), and on reading the pleadings in this action and on hearing what was alleged by the lawyer for the parties (or the parties by their lawyer consenting to judgment, or as the case may be), |
| 1. | THIS COURT ORDERS that this action be referred to an associate judge or a person agreed on by the parties at Toronto (or other place) for trial. |
| 2. | AND THIS COURT ORDERS that the parties found liable forthwith after confirmation of the report of the associate judge or person agreed on by the parties pay to the parties the respective amounts due them. |
| 3. | AND THIS COURT ORDERS that the associate judge or person agreed on by the parties determine all questions arising in this action and on the reference and all questions arising under the *Construction Act* and that the findings of the associate judge or person agreed on by the parties be effective on the confirmation of the report. |
| 4. | AND THIS COURT ORDERS that the associate judge or person agreed on by the parties determine the question of costs in this action and of the reference, and the costs be assessed and paid as the associate judge or person agreed on by the parties shall direct. |
| Date: |       | Signed by: |  |
|  |  |  | (judge) |