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|  |       |
| Court File No. |
| **FORM 23** |
| ORDER DIRECTING A REFERENCE FOR TRIAL UNDER SECTION 58 OF THE ACT (SMALL CLAIMS) |
|  |  | *Construction Act* |  |  |
| ***ONTARIO*SUPERIOR COURT OF JUSTICE** |
|       |  |       |
| (name of judge) |  | (day and date) |
| **BETWEEN** |       | Plaintiff(s) |
| **and** |
| (court seal) |       | Defendant(s) |
|  |
| **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 either a deputy judge of the Small Claims Court or to the Small Claims Court Administrative Judge, sitting as a referee, for trial. |
| 2. | AND THIS COURT ORDERS that the parties found liable forthwith after confirmation of the report of the referee pay to the parties the respective amounts due them. |
| 3. | AND THIS COURT ORDERS that the referee 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 referee be effective on the confirmation of the report. |
| 4. | AND THIS COURT ORDERS that the referee determine the question of costs in this action and of the reference, and the costs be assessed and paid as the referee shall direct. |
| Date: |       | Signed by: |  |
|  |  |  | (Judge) |