

Court File Number

[SEAL] (Name of court)

at Court office address

Form 23A: Summons to Witness outside Ontario

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (full legal name of witness)

of (address: street & number, municipality, postal code)

YOU MUST:

(1) come to (address: street & number, municipality)

on (date) , at

(2) give evidence in the case or examination before (court or other person)

(3) bring with you the documents and things listed on page 2 of this Summons; and

(4) remain there until this case or examination is finished or until the person conducting it says otherwise.

With this Summons, you should get a fee that is calculated for day(s) of attendance as follows:

Appearance allowance of \$20 for each day that you are away from home (\$60 minimum)

Travel allowance

Overnight hotel for minimum of 3 days (\$60 minimum)

Meal allowance for minimum of 3 days (\$60 minimum)

TOTAL

If the case of examination takes up more of your time, you will be entitled to an additional fee.

IF YOU DO NOT COME AND REMAIN AS REQUIRED BY THIS SUMMONS, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

Date of issue

Signature of the clerk of the court

Court File Number

(Give the date of every document that the witness must bring and give enough of a description to identify each document or thing that the witness must bring.)

Draw a line through any blank space left on this page. If you need more space, you can add pages and number them.

This summons was issued at the request of and inquiries may be directed to:

(Name, address, telephone number, and email address [if any] of the person to contact for more information about this summons.)

Name, address, telephone number, and email address (if any) of the lawyer or party acting in person who will be attending the hearing.

JUDGE'S CERTIFICATE

I, (name)

a judge of the (name of court)

CERTIFY THAT I have heard and examined (name of party or parties who have asked for this summons or of his, her or their lawyer)

who seek(s) to compel the attendance of (name of witness(es))

to produce documents or other articles or to testify, or both, in an Ontario case in the (name of the court in which witness is to appear)

involving (names of parties in the case and court file number)

I FURTHER CERTIFY THAT I am persuaded that the appearance of (name of witness(es))

as a witness/witnesses in the case is necessary for the due adjudication of the case, and, in relation to the nature and importance of cause or proceeding, is reasonable and essential to the due administration of justice in Ontario.

The Interprovincial Summonses Act makes the following provision for the immunity of (name of witness(es))

A person who is required to attend before a court in Ontario by a summons adopted by a court outside Ontario shall be deemed, while within Ontario for the purposes of which the summons was issued, not to have submitted to the jurisdiction of the courts of Ontario other than as a witness in the proceedings in which the person is summoned and shall be absolutely immune from seizure of goods, service of process, execution of judgment, garnishment, imprisonment or molestation of any kind relating to a legal or judicial right, cause, action, proceeding or process within the jurisdiction of the Legislature of Ontario except only those proceedings grounded on events occurring during or after required attendance of the person in Ontario.

(Signature of judge)

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(Date of signature)

[SEAL]