

FORM 16 (RULE 34 (2) (A))

Court of Appeal File No.

COURT OF APPEAL

BETWEEN:

Appellant/Respondent
(Plaintiff)

AND:

Appellant/Respondent
(Defendant)

**MOTION BOOK
APPLICATION TO VARY AN ORDER OF A JUSTICE**

(Name of appellant)

(Name of respondent)

(Name of appellant’s counsel, if any)

(Name of respondent’s counsel, if any)

(Address of appellant or, if the appellant is repre- (Address of respondent or, if the respondent is
sented, name and address of the appellant’s lawrepresented, name and address of the respondent’s
firm) law firm)

COMPLETION INSTRUCTIONS

A motion book must be bound with a buff cover and must contain the following material in chronological order:

1. Reasons for judgment of the justice and a copy of the order under review, if available, or if no copy of the entered order is available, in the form agreed to by counsel;
2. Those parts of the reasons for judgment in the originating court that are relevant to this review application and the final order that is the subject of the appeal;
3. Those parts of the evidence filed before the justice that the applicant intends to refer to in argument;
4. Subsequent affidavits, if any;
5. A brief memorandum of argument, not exceeding 10 pages in length (exclusive of the table of authorities) divided into 5 parts, namely
 - Part I: A brief statement of facts,
 - Part II: A statement of the points in issue,
 - Part III: A brief argument setting out why the justice erred in making the decision under review,
 - Part IV: The nature of the order requested, and

- Part V: A table of the authorities to be referred to, arranged alphabetically.
- Appendices: If the applicant intends to rely on an enactment, a copy of the relevant sections of the enactment must be included.