**THE KING'S BENCH**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Centre**

BETWEEN :

plaintiff,

- and -

defendant.

**REQUISITION FOR DEFAULT JUDGMENT**

|  |
| --- |
|  |
|  |
|  |

*(Name, address and telephone number of party filing)*

**THE KING'S BENCH**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Centre**

BETWEEN:

plaintiff.

- and -

defendant.

**REQUISITION FOR DEFAULT JUDGMENT**

TO THE DEPUTY REGISTRAR AT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 *(place)*

*[Where the defendant has not been noted in default, begin with:* I REQUIRE you to note the defendant (*name*) in default in this action on the ground that (*state nature of default)*.]

(or)

I REQUIRE default judgment to be signed against the defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 *(name)*

Default judgment may properly be signed in this action because the claim is for,

[ ]  A debt or liquidated demand in money

[ ]  Recovery of possession of land

[ ]  Recovery of chattels

[ ]  Foreclosure, sale or redemption of a mortgage

(Debt or liquidated demand)

[ ]  There has been no payment on account of the claim since the statement of claim was issued.

(or)

[ ]  The following payments have been made on account of the claim since the statement of claim was issued:

 Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amount $ \_\_\_\_\_\_\_\_\_\_\_\_

 **TOTAL: $ \_\_\_\_\_\_\_\_\_\_\_\_**

(Interest) The plaintiff is entitled to prejudgment interest in the claim, calculated as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Principal** | **Start** | **End** | **Number** |  | **Interest** |
| **Sum** | **Date** | **Date** | **of Days** | **Rate** | **Amount** |
|  |  |  |  |  | $\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  |  | **TOTAL** | **$\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

[*Where applicable, add:* The plaintiff is entitled to post judgment interest at the rate of (as set out in the statement of claim).]

A default judgment may include prejudgment interest, or bear post judgment interest at a rate other than at the post judgment rate as provided in section 78 of the *Act*, only if it is pleaded and claimed in the statement of claim.

THE PLAINTIFF WISHES COSTS

[ ]  due to special circumstances, to be assessed by an assessment officer.

(or)

[ ]  to be fixed by the registrar:

|  |  |  |
| --- | --- | --- |
|  | **Costs** | **Disbursements** |
| Pleadings | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Other steps before judgment(e.g. motion for substitutional service, etc.) | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Default Judgment | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Totals | **$ \_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **$ \_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Lawyer or Plaintiff

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Lawyer or Plaintiff

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Firm (if applicable)

TOTAL COSTS AND DISBURSEMENTS ARE HEREBY FIXED AT:

|  |  |
| --- | --- |
| Costs: | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Disbursements: | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Total: | **$ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Deputy Registrar