**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