

FORM 75.5
Courts of Justice Act
NOTICE OF APPLICATION FOR DIRECTIONS
ONTARIO
SUPERIOR COURT OF JUSTICE

IN THE ESTATE OF *(insert name)*, deceased.

BETWEEN: *(Name)* Applicant
- and -
(Name) Respondent

NOTICE OF APPLICATION FOR DIRECTIONS

TO THE RESPONDENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following page.

THIS APPLICATION will come on for a hearing before a judge on *(date)* at *(time)*, at the Court House at *(place)*.

IF YOU WISH TO OPPOSE THIS APPLICATION, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it with proof of service, in the court office where the application is to be heard, as soon as possible, but not later than two days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

If you wish to oppose this application but are unable to pay legal fees, legal aid may be available to you by contacting a local Legal Aid office.

Date _____

Issued by _____

Local registrar

Address of court office

TO: *(Name and address of respondent, or lawyer for respondent)*

1. The applicant makes application or directions from the court with respect to: *(state nature of proceeding)*
2. The grounds for the application are rule 75.06 and *(include a reference to any statutory provision or Rule to be relied on)*.
3. The following documentary evidence will be used at the hearing of the application for directions: *(list the affidavits or other documentary evidence to be relied upon)*.