

FORM 5b (Rule 15)

IN THE COURT OF APPEAL FOR SASKATCHEWAN

Between

_____ Appellant

- and -

_____ Respondent

BEFORE THE HONOURABLE)
Mr./MADAM JUSTICE)
IN CHAMBERS:)

Wednesday, the _____
day of _____, _____ .
(month) (year)

DRAFT ORDER

UPON THE APPLICATION of the Respondent, and having read the notice of motion with proof of service, the affidavit of _____, the formal judgment (or order) and the decision of the Honourable Mr./Madam Justice _____, together with such other material as was filed in support of the application, and having regard for the submissions of counsel:

IT IS HEREBY ORDERED:

THAT the stay of execution imposed pursuant to Rule 15 of *The Court of Appeal Rules* is lifted.

OR

THAT the stay of execution imposed pursuant to Rule 15 of *The Court of Appeal Rules* is continued on condition:

(Here set forth the proposed conditions upon which the stay may be continued, for example, in the case of an order for the payment of funds into court:

1. The Appellant shall deposit with the Registrar, not later than the _____ day of _____, _____, a sum equal to the judgment appealed from, or a surety bond or irrevocable letter of credit in the amount of the judgment and satisfactory to the Registrar.
(month) (year)
2. All monies deposited with the Registrar shall be invested by the Registrar in an interest bearing account, and any surety bond or letter of credit filed with the Registrar shall be retained by the Registrar until further order or final determination of the appeal.
3. Anything realized by means of a writ of execution or garnishee shall be retained by the Sheriff or Local Registrar until further order or the final determination of the appeal.
4. (Further terms as required.)
5. The costs of this application shall be costs in the cause.)

ISSUED at _____, Saskatchewan, this _____ day of _____, _____ .
(month) (year)

Registrar, Court of Appeal