**FORM 10d**

(Judgment Allowing Appeal and Ordering New Trial)

CACV \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN THE COURT OF APPEAL FOR SASKATCHEWAN

BETWEEN:

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

Appellant   
(*insert status in court appealed from*)

AND:

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

Respondent   
(*insert status in court appealed from*)

BEFORE

The Honourable [Chief Justice of Saskatchewan] or [Justice]

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

(*name*)

The Honourable Justice

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

(*name*)

The Honourable Justice

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

(*name*)

**JUDGMENT OF THE COURT**

THIS APPEAL from the judgment of the Honourable Justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   
 (*name*)  
dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was heard on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at Regina (*or Saskatoon*).  
 (*date*) (*date*)

ON READING the material filed with the Court, including the judgment pronounced by the

Honourable Justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the reasons therefor, and  
 (*name*)

ON HEARING the submissions made on behalf of the parties,

THIS COURT HEREBY ORDERS THAT:

1. The appeal be allowed and the judgment appealed from be set aside.

2. A new trial be had between the parties.

3. Pursuant to Rule 52 of *The Court of Appeal Rules*, the costs of this appeal shall be (*insert cost order granted*).

OR

3. The respondent forthwith pay the appellant $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in costs.

(*insert amount ordered*)

DATED \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 (*date*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Registrar, Court of Appeal

New. Gaz. 9 Sep. 2022.