**FORM 5a**[*Rule 15*]

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

IN THE COURT OF APPEAL FOR SASKATCHEWAN

BETWEEN:

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

Appellant
(*insert* *status in court appealed from*)

AND:

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

Respondent
(*insert* *status in court appealed from*)

**NOTICE OF APPLICATION TO
IMPOSE STAY PENDING APPEAL**

TAKE NOTICE THAT:

1. The Appellant intends to apply to the presiding judge in Chambers at the Court House,
2425 Victoria Avenue, Regina, Saskatchewan (*or, 520 Spadina Crescent East, Saskatoon, Saskatchewan if appearing in Saskatoon*)on Wednesday(*or, Monday if appearing
in Saskatoon*), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at 10:00 a.m. for the following relief:
 (*date*)

(a) An order pursuant to Rule 15 of *The Court of Appeal Rules* imposing a stay of execution
(*or a stay of proceedings, or both a stay of execution and a stay of proceedings*) of (*all or part of* ) the judgment of the Honourable Justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .
 (*date*)
(*If only seeking the imposition of a stay for part of the judgment, identify those portions of the judgment in numbered paragraphs.*)

(b) (*As applicable*) An order requiring, as a condition of the imposition of the stay, that the following steps be taken:

 (*Here identify the terms the Appellant agrees to see imposed if the stay pending appeal is to be imposed in whole or in part, as for example:*

(*i*) *That the Appellant pay into this Honourable Court the sum of $* \_\_\_\_\_\_\_\_\_\_\_\_\_\_ *on or before* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *.*

*(date)*

(*ii*) *That this sum to be deposited by the Registrar into an interest bearing account to be held there pending the determination of this appeal*.

(iii) (*Further terms as required*.))

(c) Pursuant to Rule 52 of *The Court of Appeal Rules*, the costs of this application shall be
(*insert cost order requested*).

2. That the following material will be filed in support of this application:

(a) This notice of application with proof of service.

(b) The affidavit of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

(c) The formal judgment (*or order*) from which the Appellant appeals.

(d) The decision of the Honourable Justice \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on which the judgment (*or order*) is based.

(e) A draft order of the relief sought.

DATED at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , Saskatchewan, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .
 (*date*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature of the Appellant or
Lawyer for the Appellant

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

**TO:** Respondent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**TO:** REGISTRAR

COURT OF APPEAL FOR SASKATCHEWAN

2425 VICTORIA AVENUE

REGINA, SASKATCHEWAN

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**THIS DOCUMENT IS FILED BY:**

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