



No. S248620  
Vancouver Registry

**In the Supreme Court of British Columbia**

Between

Kayne Michael Middleton

Plaintiff

and

Telus International (Cda) Inc., Jeffrey Puritt, Vanessa Kanu, Gopi Chande, Michael Ringman, Beth Howen, Darren Entwistle, Josh Blair, Madhuri Andrews, Olin Anton, Navin Arora, Doug French, Tony Geheran, Sue Paish, Carolyn Slaski and Sandra Stuart

Defendants

Brought under the *Class Proceedings Act*, R.S.B.C. 1996, c. 50

**NOTICE OF APPLICATION**

Name of applicant: The Plaintiff, Kayne Michael Middleton

To: The Defendants and their Solicitors

TAKE NOTICE that an application will be made by the applicant to the Honourable Justice Loo at the courthouse at 800 Smithe Street, Vancouver, BC V6Z 2E1, on August 6, 2025, at 10:00 am for the orders set out in Part 1 below.

The applicant estimates that the application will take two hours.

[ x ] This matter is not within the jurisdiction of an Associate Judge. Justice Loo is the case management judge.

**PART 1: ORDERS SOUGHT**

1. The Plaintiff seeks an order that:

- (a) The Plaintiff's Petition for leave under s. 140.8 of the *Securities Act*, RSBC 1996, c 418 ["**BCSA**"] (Vancouver Registry No. S248635) filed on December 12, 2024, [the "**Leave Petition**"] be heard concurrently with the certification application under s. 4(1) of the *Class Proceedings Act*, RSBC 1996, c 50 ["**CPA**"], in the within action and that a case management conference be scheduled at the Court and parties' first availability to determine the next steps; and
- (b) Costs of the within application in any event of the cause, payable at the conclusion of the proceeding.

## **PART 2: FACTUAL BASIS**

2. On December 12, 2024, the Plaintiff filed a proposed class action [the “**Class Action**”] against Telus International (Cda) Inc.<sup>1</sup> [“**Telus**” or the “**Company**”] and several of its officers and directors [collectively, the “**Defendants**”] by way of a Notice of Civil Claim (Vancouver Registry No. S248620) [the “**NOCC**”]. The Plaintiff filed the Leave Petition concurrently with the NOCC.<sup>2</sup> The Plaintiff advances three causes of action against the Defendants: (i) statutory secondary market liability under s. 140.3 (1)-(4) *BCSA*; (ii) liability under s. 227 of the *Business Corporations Act*, SBC 2002, c 57; and (iii) liability under common law for negligent misrepresentation. Only the first cause of action is subject to the leave requirement in s. 140.8 of the *BCSA*.

3. On February 6, 2025, the Plaintiff filed a Notice of Case Planning Conference to seek the assignment of a judge for judicial case management of the Class Action.<sup>3</sup> A Case Planning Conference [“**CPC**”] was held on April 29, 2025.

4. On May 6, 2025, the parties were advised that Justice Loo was assigned as the Judicial Management Judge of the Class Action.<sup>4</sup> Further to the Court’s directive, a Judicial Management Conference [“**JMC**”] took place on June 17, 2025.<sup>5</sup>

5. During the JMC, the parties informed the Court of a disagreement regarding the appropriate sequencing for leave and certification. The Plaintiff contends both can and should be presented to the Court in a single hearing. The Defendants contend that there must be two, separate, multi-day hearings, one for the Leave Petition and one for certification. As a result, the Court set a hearing date and established a schedule for the exchange of submissions.<sup>6</sup>

## **PART 3: LEGAL BASIS**

### **Legal Framework**

6. In *British Columbia v. The Jean Coutu Group (PJC) Inc.*, 2021 BCCA 219 [“**Jean Coutu**”], the British Columbia Court of Appeal affirmed that courts ought to exercise their discretion in

---

<sup>1</sup> Now known as “Telus Digital Experience.”

<sup>2</sup> Affidavit of Nickolas Gallina, made on June 27, 2025, Exhibit “A” (Bates 1-79) [“**Gallina Affidavit No. 1** ”]. The NOCC and Leave Petition were served on all Defendants by December 30, 2024: Gallina Affidavit No. 1, Exhibit “F” (Bates 85-87).

<sup>3</sup> Gallina Affidavit No. 1, Exhibit “B” (Bates 80).

<sup>4</sup> Gallina Affidavit No. 1, Exhibit “C” (Bates 81).

<sup>5</sup> Gallina Affidavit No. 1, Exhibit “D” (Bates 82).

<sup>6</sup> Gallina Affidavit No. 1, para. 6, Exhibit “E” (Bates 83-84).

adjudicating sequencing issues in proposed class proceedings “in a manner that facilitates and achieves judicial efficiency and the timely resolution of the dispute.”<sup>7</sup>

7. The Court’s discretion is guided by the following non-exhaustive factors: (i) any delay by the plaintiff in proceeding to certification; (ii) the extent to which a preliminary application may dispose of the whole proceeding or narrow the issues to be determined, taking into account the strength of the applicant’s arguments on the proposed applications and the breadth of the applications; (iii) the cost to the parties of participating in pre-certification procedures and the potential to avoid exposing the defendants to costs of a full certification hearing if the matter will be resolved on the basis of the s. 4(1)(a) requirement alone; (iv) the potential for delay arising from interlocutory appeals; (v) the complexity and interplay of the issues that may arise in and between the pre-certification and certification applications; (vi) whether the outcome of the motion will promote settlement; (vii) the interests of economy and judicial efficiency (including whether the parties agree the motion will be determinative of the s.4(1)(a) aspect of the certification motion); and (viii) the fair and efficient determination of the proceeding.<sup>8</sup>

8. Importantly, these factors “are not a checklist,” and “whether any individual factor need be considered will depend on the application the judge is considering.”<sup>9</sup>

### **Argument**

9. The *Jean-Coutu* factors strongly support the Plaintiff’s Leave Petition being heard concurrently with certification, as it is clearly the most efficient and timely way to resolve these preliminary steps. Indeed, in the only decision in Canada that squarely addresses the sequencing of leave and certification in securities class actions—*Labourers’ Pension Fund of Central and Eastern Canada v. Sino-Forest Corporation*, 2012 ONSC 1924 [*“Labourers”*]<sup>10</sup>— the Court concluded, applying nearly identical factors to *Jean-Coutu*,<sup>11</sup> that it would be fair and efficient to hear together a certification motion and a leave motion under the Ontario *Securities Act*, RSO 1990, c S.5. More recently, in *Browne v. Horizons ETF Corp.*, 2022 ONSC 3441 [*“Browne”*], the

---

<sup>7</sup> *Jean Coutu*, paras. 33, 37, and 45. See also *Shaver v. Mallinckrodt Canada ULC*, 2021 BCSC 455, para. 24 [*“Shaver”*].

<sup>8</sup> *Jean Coutu*, para. 33.

<sup>9</sup> *Ibid*, para. 34.

<sup>10</sup> While *Labourers’* was decided in the context of the Ontario *Securities Act*, RSO 1990, c S.5 and *Class Proceedings Act*, 1992, SO 1992 c 6, (i) courts have recognized the similar language and harmonization between the provincial securities acts (see *Theratechnologies inc. v. 121851 Canada inc.*, 2015 SCC 18, para. 32; *Amaya inc. c. Derome*, 2018 QCCA 120, para. 97; *Tietz v Cryptobloc Technologies Corp.*, 2021 BCSC 186, para. 13), and (ii) the certification requirements under s. 4 CPA “are similar to the certifications set out in Ontario’s class action legislation” (*Rumley v. British Columbia*, 2011 SCC 69, para. 25).

<sup>11</sup> See *Labourers’*, para. 77.

Court reconfirmed that “hearing the motions together [is] the best option.”<sup>12</sup> It is now well-accepted throughout Canada that leave and certification are heard concurrently in jurisdictions where securities and class proceedings legislation mirror that of British Columbia.<sup>13</sup> The Defendants’ invitation to depart from this well-trodden path and have two separate hearings would achieve the opposite of “judicial efficiency and the timely resolution of the dispute.”<sup>14</sup> There is nothing in the relevant legislation or the use of a petition to seek leave that justifies a different result here.

**Factor 1: There Has Been No Delay by the Plaintiff in Proceeding to Certification.**

10. The Plaintiff has taken steps to advance this action toward certification in a diligent manner. The Plaintiff filed the NOCC on December 12, 2024.<sup>15</sup> On February 6, 2025, the Plaintiff filed a Notice of CPC to request the appointment of a judge for judicial case management.<sup>16</sup> The CPC was held at the Court’s first availability in April 2025, after which Justice Loo was assigned to judicially manage the action in May 2025.<sup>17</sup> Following the assignment of Justice Loo, the Plaintiff promptly scheduled the JMC, which took place on June 17, 2025, to address the parties’ disagreement about sequencing.<sup>18</sup> In parallel, the Plaintiff has diligently been working to finalize his certification and leave record, which he expects to be in a position to serve on the Defendants this summer.<sup>19</sup> There has been no delay that would justify further delaying a certification hearing until after the Leave Petition is heard.

---

<sup>12</sup> *Labourers’*, para. 84.

<sup>13</sup> See, for example: *Silver v. Imax Corporation*, 2009 CanLII 72334, *Dobbie v. Arctic Glacier Income Fund et al*, 2011 ONSC 25, *Green v. Canadian Imperial Bank of Commerce*, 2012 ONSC 3637, *Gould v. Western Coal Corporation*, 2012 ONSC 5184 [“*Gould*”], *Bayens v. Kinross Gold Corp.*, 2013 ONSC 6864 [“*Bayens ONSC*”] (aff’d 2014 ONCA 901 [“*Bayens ONCA*”]), *Dugal v. Manulife Financial*, 2013 ONSC 4083, *Trustees of the Millwright Regional Council of Ontario Pension Trust Fund v. Celestica Inc.*, 2014 ONSC 1057, *Coffin v Atlantic Power Corp.*, 2015 ONSC 3686, *Mask v Silvercorp Metals Inc.*, 2015 ONSC 5348, *Cappelli v. Nobilis Health Corp.*, 2019 ONSC 2266, *Drywall Acoustic Lathing and Insulation, Local 675, v. SNC-Lavalin Group Inc.*, 2012 ONSC 5288, *Badesha v. Cronos Group*, 2021 ONSC 4346, *Peters v. SNC-Lavalin Group Inc.*, 2021 ONSC 5021, *Dyck v. Tahoe Resources Inc.*, 2021 ONSC 5712, *MM Fund v. Americas Gold and Silver Corp.*, 2022 ONSC 6515, *Markowich v. Lundin Mining Corporation*, 2022 ONSC 81, *Poirier v. Silver Wheaton Corp. et al.*, 2022 ONSC 80, *Stevens v Ithaca Energy Inc*, 2019 ABQB 474, *Crosier v. Exro Technologies Inc. et al.*, case no. 2401 16988, *Pineo v. Sona Nanotech Inc.*, 2024 NSSC 230, 121851 *Canada inc. c. Theratechnologies inc*, 2012 QCCS 699, *Catucci c. Valeant Pharmaceuticals International Inc.*, 2017 QCCS 3870; *Majestic Asset Management c. Toronto-Dominion Bank*, 2019 QCCS 2781, *Nseir c. Barrick Gold Corporation*, 2020 QCCS 1697, *Gauthier c. Baazov*, 2020 QCCS 2452, *Graaf c. SNC-Lavalin Group Inc.*, 2022 QCCS 3727, *Dionne c. Hexo Corp.*, 2023 QCCS 162, *Gauthier c. Bombardier inc.*, 2024 QCCS 1925.

<sup>14</sup> *Jean Coutu*, paras. 33, 37, and 45. See also *Shaver*, para. 24.

<sup>15</sup> *Gallina Affidavit No. 1*, Exhibit “F” (Bates 85).

<sup>16</sup> *Gallina Affidavit No. 1*, Exhibit “B” (Bates 80).

<sup>17</sup> *Gallina Affidavit No. 1*, Exhibit “C” (Bates 81).

<sup>18</sup> *Gallina Affidavit No. 1*, para. 6, Exhibit “E” (Bates 83-84).

<sup>19</sup> *Gallina Affidavit No. 1*, para. 8.

**Factor 2: Disposing of the Leave Petition Will Not Dispose of the Whole Proceeding or Substantially Narrow the Issues to be Determined.**

11. As stated by this Court in *Davis v Vancouver (Police Department)*, 2023 BCSCS 1018, “there are two parts to this inquiry: the strength of the defendants’ arguments, and the potential to dispose of the entire proceeding.”<sup>20</sup>

12. First, for the “strength of defendants arguments” to necessitate hearing the Leave Petition prior to certification, it must be “clear”—following the Court’s limited “threshold inquiry”<sup>21</sup>—that the Defendants will succeed because of an “obvious flaw” in the NOCC, *i.e.*, “one that does not require lengthy submissions and consideration of jurisprudence and the pleadings to assess.”<sup>22</sup> The Defendants have articulated no such “obvious flaw” to Plaintiff or the Court, as there is not one.

13. Second, denial of leave under s. 140.8 *BSCA* will not dispose of the entire Class Action against the Defendants. This case will proceed to a certification hearing regardless of the outcome of the Leave Petition because the Plaintiff advances two causes of action in the NOCC that are not subject to the *BSCA*’s leave requirement. And, the Plaintiff failing to get leave would not substantially streamline any subsequent certification hearing because the Plaintiff will rely on much of the same evidence at the certification hearing as during the Leave Petition hearing.<sup>23</sup> Thus, holding two hearings will not substantially narrow the issues and having a single hearing is the only way that this action could be disposed of in a single step.

**Factor 3: Proceeding In a Two-Step Manner Will Result in Unnecessary Costs.**

14. The third factor weighs the costs of potentially smaller pre-certification procedures against the possibility of avoiding a full certification hearing.<sup>24</sup> Here, proceeding with the Leave Petition in advance of certification would impose unnecessary costs on the parties and the Court, resulting in unnecessary delay.

15. As noted above, a full certification hearing will proceed regardless of the Defendants’ success on the Leave Petition because two causes of action in the NOCC are not subject to the *BCSA*. As a result, the best-case scenario for Defendants—where leave under the *BSCA* is denied—would merely delay a hearing on certification of the Plaintiff’s remaining claims and

---

<sup>20</sup> *Davis v Vancouver (Police Department)*, 2023 BCSCS 1018, para. 17.

<sup>21</sup> *Ibid*, para. 18.

<sup>22</sup> *Ibid*.

<sup>23</sup> For example, evidence regarding the Defendants’ alleged misconduct and the effect of said misconduct on the price of Telus’ securities.

<sup>24</sup> See *Jean-Coutu*, para. 60 and *Tanchak v British Columbia*, 2023 BCSC 1482, para. 28.

compel the parties to expend resources preparing for, arguing, and potentially appealing a cause of action that will not dispose of the entire Class Action. This is highly inefficient. Moreover, given the standard for leave under s. 140.8 of the *BCSA*, a leave hearing is unlikely to be meaningfully less time or resource intensive on its own than a hearing on both leave and certification.

16. On the other hand, a single hearing achieves several efficiencies that could limit costs to the Defendants (and save the Court time). The evidence for both leave and certification will overlap significantly. Thus, a concurrent hearing will allow the parties to develop one record, one set of written submissions, and prepare for a single hearing, rather than doing it all twice. This is the best option for limiting costs.

***Factor 4: The Losing Side Will Almost Surely Appeal So a Single Hearing Will Avoid Meaningless Delay.***

17. The Plaintiff alleges that Telus' stock priced dropped just over 46% when the Defendants' alleged misrepresentations were publicly corrected, which caused investors to lose tens of millions of dollars.<sup>25</sup> Given the financial interests at issue, the party that loses the Leave Petition or certification will almost certainly appeal. As a result, it makes the most sense to have a single hearing so that there can be a single appeal. This efficiency is lost under the Defendants' two-step process and "creates a real risk of litigation in slices" which "can lead to higher costs and more complexity" as well as "unforeseen problems when a case is split up."<sup>26</sup>

18. In *Labourers'*, the plaintiffs brought a proposed securities class action against the defendants claiming primary and secondary market liability, as well as liability for corporate oppression, negligence, negligent misrepresentation, conspiracy, and unjust enrichment. The plaintiffs sought and obtained an order to have leave and certification heard concurrently. The Ontario Superior Court of Justice granted plaintiffs' request, holding that "[i]f a sequential approach were adopted, there would be appeals at each stage, leading to increased delay."<sup>27</sup> In the words of Justice Perell:

[81] As night follows day, if I agreed to schedule sequentially, there would be a ten-day leave motion, followed by the unsuccessful party launching the appeal process which will take several years to resolve. Whatever the outcome of the appeal, the action will return to the Superior Court for the certification motion of the claims not referable solely to liability for secondary market disclosure.

---

<sup>25</sup> Gallina Affidavit No. 1, Exhibit "A" (Bates 21-79), paras. 112-114.

<sup>26</sup> *Patrick v British Columbia*, 2023 BCSC 2147, para. 32 ["Patrick"].

<sup>27</sup> *Labourers'*, pages 1-2.

[82] In the case at bar, if Rule 21 motions were permitted before the certification hearing although work that could be done at the certification hearing will be accomplished, this will come at the cost of another round of appeals that will take several years to resolve only for the action to return again to the Superior Court for the determination of whether the balance of the certification criteria have been satisfied. That determination will also be appealed.

[83] In contrast, if I combine the leave motion, the Rule 21 motions and the certification motion into one hearing, as night follows day, the determination will be appealed but the superior court and the appellate courts, including the Supreme Court of Canada, will be denied the pleasure of three visits from one or two generations of class and defence counsel.<sup>28</sup>

19. Similarly, in *Browne*, the Ontario Superior Court of Justice reached the same conclusion when considering the even more complex scenario of hearing certification alongside the plaintiffs' motions for leave to amend their pleading and leave to proceed with a secondary market securities claim, with Justice Morgan holding that:

There is nothing to be gained by replaying these arguments on separately scheduled motion days, and much to be lost in terms of time, potentially separate appeals, etc. I would prefer to avoid what Justice Strathy has called "litigation by installment": *Cannon v. Funds for Canada Foundation*, 2010 ONSC 146 at para. 15.

20. Sequencing the Leave Petition before certification will result in "delay through bifurcating the proceedings and inevitable appeals"<sup>29</sup>, both of which will be avoided if the Leave Petition and certification are heard together.<sup>30</sup> Because leave will not dispose of the entire action, such delay would be meaningless. The reasoning in *Labourers'* and *Browne* applies with equal force to the present case. This factor therefore weighs in favour of hearing the Leave Petition together with certification.

***Factor 5: The Overlap of Issues Between the Leave Petition and Certification Militates in Favor of a Single Hearing.***

21. The central issue for the Leave Petition—*i.e.*, whether "there is a reasonable possibility that the action will be resolved at trial in favour of the plaintiff"<sup>31</sup>—is nearly identical to one of the central issues (if not the central issue) to be adjudicated at certification—*i.e.* whether the Plaintiff's "pleadings disclose a cause of action" under s. 4(1)(a) *CPA*.<sup>32</sup> The interplay between both motions

---

<sup>28</sup> *Labourers'*, paras. 81-83.

<sup>29</sup> *Patrick*, para. 40.

<sup>30</sup> *Jean-Coutu*, para. 87. There are also "efficiencies [to be gained by] having one decision and a complete record to run the gauntlet of the appeals" (*Strathdee v. Johnson & Johnson Inc.*, 2021 ONSC 7557).

<sup>31</sup> *BCSA*, s. 140.8(2)(b).

<sup>32</sup> See *Green v. Canadian Imperial Bank of Commerce*, 2014 ONCA 90, para. 91 ("Because the test is the same, and the evidentiary basis is the highest it can be for the plaintiff on the certification motion, once leave is granted on the

is so important that “if leave is granted [...] it follows that the court should certify a class action for both the statutory and the common law negligent misrepresentation claim.”<sup>33</sup>

22. This overlap is another reason why the only decision in Canada that squarely addresses whether to sequence a petition for leave under securities legislation before certification concluded that hearing the certification and leave motions together was the most efficient manner of proceeding.<sup>34</sup> As the Court stated in *Labourers'*, “the evidentiary footprint for the leave and certification motions are the same, and it makes for little efficiency for the parties and little judicial economy to have the evidence and argument for leave and for certification heard more than once.”<sup>35</sup> The procedural nuance of leave being sought by petition in British Columbia does not make this statement from *Labourers'* any less forceful in the circumstances.

**Factor 6: The Potential for Settlement Is a Neutral Factor.**

23. The Plaintiff submits that this factor is neutral.

**Factor 7: A Single Hearing Best Serves the Interest of Economy and Judicial Efficiency.**

24. As outlined above, determining leave before certification will not eliminate or substantially streamline the certification hearing. Unlike other cases involving a simple, straightforward and/or foundational issues, there will be no savings of time, money, or effort by hearing leave before certification.<sup>36</sup> Two separate hearings achieves only duplicative use of judicial and party time and resources. Having the motions heard together is preferable.<sup>37</sup>

**Factor 8: Hearing the Leave Petition and Certification Together is Fair and Efficient.**

25. There are many efficiencies to be gained from holding one hearing (and many inefficiencies, like *seriatim* appeals, that can be avoided). This is why leave and certification are routinely heard at the same time in securities cases. To underscore the fairness of this process, one need look no further than the Defendants' own actions in the securities class action pending

---

record filed, the claim will also meet the cause of action criterion under s. 5(1)(a) of the CPA”); *Browne v. Horizons ETF Corp.*, 2022 ONSC 3441, para. 6 (“The leave argument, like the certification argument, will in any case involve the question of whether the pleadings demonstrate a viable cause of action”).

<sup>33</sup> *Bayens ONSC*, para. 210. See also *Gould*, para. 96.

<sup>34</sup> *Labourers'*, para. 84.

<sup>35</sup> *Labourers'*, para. 84. See also *Bayens ONSC*, para. 218 and *Bayens ONCA*, para. 97.

<sup>36</sup> See *Patrick*, para. 36. Leave under s. 140.8 BCSA is “not insignificant” and will not be less costly or complex than the certification hearing.

<sup>37</sup> *Labourers'*.

against them in Ontario (bearing no. CV-25-00735809-00CP). In that case, leave and certification will be heard concurrently.<sup>38</sup>

26. It is thus unsurprising that Courts, when faced with the issue at hand, have held that a single hearing on leave and certification is fair and efficient. In *Labourers'*, for example, Justice Perell concluded that it would be fair and efficient to hear the certification motion and leave motion together, whereas:

[80] In contrast, the sequential approach being advocated by the defendants is unfair to the plaintiffs and to the proposed class and will impede fulfilling the purposes of the class proceedings legislation, which are, first and foremost, access to justice, secondarily, judicial economy and thirdly, behaviour modification, all the while providing due process and fairness to all parties. Unfortunately, the suffocating expense of motions in class actions [...] along with the excruciating delays and the additional costs of the inevitable leave to appeal motions and appeals that follow class action orders is a serious barrier to achieving the purposes of the legislation for both plaintiffs and defendants and a substantial disincentive to class counsel employing the legislation for other than the huge cases that would justify the litigation risks.

27. In sum, fairness and efficiency stand to be frustrated by the Defendants' proposal to unnecessarily bifurcate the hearings on the Leave Petition and certification.

## **CONCLUSION**

28. While each *factor* of the *Jean Coutu* test may be worded slightly differently, they all look to evaluate "what is the most fair and efficient sequence of application." As detailed herein, the sequencing proposed by the Plaintiff is well-accepted in proposed securities class actions as it promotes fairness, efficiency and judicial economy. There is no reason the Court should deviate from this path and hold two hearings when a single hearing is the best option.

## **PART 4: MATERIAL TO BE RELIED ON**

1. Affidavit No. 1 of Nickolas Gallina, made on June 27, 2025;
2. The pleadings and materials filed herein.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- (a) file an application response in Form 33,

---

<sup>38</sup> Gallina Affidavit No. 1, para. 9.

- (b) file the original of every affidavit, and of every other document, that
  - i. you intend to refer to at the hearing of this application, and
  - ii. has not already been filed in this proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - i. a copy of the filed application response;
  - ii. a copy of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
  - iii. if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7 (9).

Date: June 27, 2025



\_\_\_\_\_  
 Signature of lawyer for plaintiff  
 Sam J. Jaworski  
 Slater Vecchio LLP



\_\_\_\_\_  
 Signature of lawyer for plaintiff  
 Emilie B. Kokmanian

**To be completed by the court only:**

Order made

“ in the terms requested in paragraphs \_\_\_\_\_ of Part 1 of this notice of application

“ with the following variations and additional terms:

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

Dated: \_\_\_\_\_  
 [dd/mm/yyyy]

\_\_\_\_\_  
 Signature of  Judge  Associate Judge

## **APPENDIX**

*[The following information is provided for data collection purposes only and is of no legal effect.]*

THIS APPLICATION INVOLVES THE FOLLOWING:

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts