

# NOTES

## Form 21

(Rule 5-3 (4) )

*[Style of Proceeding]*

1

BEFORE

BEFORE

A JUDGE OF THE COURT

2

} or }

.....[dd/mmm/yyyy].....

A MASTER OF THE COURT

### CASE PLAN ORDER

*[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]*

AT A CASE PLANNING CONFERENCE conducted on .....[dd/mmm/yyyy]..... by  
.....[judge/master]..... in the presence of .....[names of attending counsel and parties].....;

THIS COURT ORDERS that the parties comply with the attached case plan.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER

*[A signature line in the following form must be completed and signed by or for each approving party.]*

.....  
Signature of [ ] party [ ] lawyer for .....[name of party(ies)].....

.....[type or print name].....

.....  
Signature of

[ ] party [ ] lawyer for .....[name of party(ies)].....

.....[type or print name].....

By the Court.

.....

Registrar

Case Plan

**1 Dispute resolution procedures**

The parties have discussed resolution options including those under Part 9 of the Supreme Court Civil Rules and have agreed to the following:

[Check the box to the left of each step to be taken and fill in the agreed date.]

Step	Date by which step to be completed [dd/mmm/yyyy]
Offer to settle	
Mediation	
Special Case	
Proceeding on point of law	
Summary trial	
Summary judgment application	
Other [identify]	

A party may undertake any of the steps provided for in Part 9 of the Supreme Court Civil Rules whether or not the step is noted above.

**2 Document production (Rule 7-1 of the Supreme Court Civil Rules)**

3

The following steps will be completed by the date set out next to each step:

Step	Date by which step to be completed [if dates differ by party, indicate a date for each party] [dd/mmm/yyyy]
Delivery of the lists of documents required under Rule 7-1	
Completion of an electronic document protocol	
Other [identify]	

**3 Examinations for discovery (Rule 7-2 of the Supreme Court Civil Rules)**

4

The following examinations for discovery will be conducted, not exceed the time limits indicated and be completed by the date indicated:

Examination by (party name)	Examination of (party and person name)	Time Limit	Date by which step to be completed [dd/mmm/yyyy]


**4 Applications**

The following applications are anticipated:

5

*[Identify each anticipated application and fill in the proposed date.]*

Application	Date by which application anticipated to be brought [dd/mmm/yyyy]

A party may bring any other application whether or not that application is noted above.

**5 Expert witnesses (Part 11 of the Supreme Court Civil Rules)**

*[For the following, complete the following Parts 1 and 2 for any expert evidence that the parties anticipate introducing at trial, and if the parties are unable to provide the information required under Part 1 or 2, complete the following Part 3.]*

Part 1

6

Each party may tender the report of, or call to give oral opinion evidence, an expert with the following expertise:

Name of party who intends to call the expert <i>[if expert is being called jointly, specify "Joint"]</i>	Area of Expertise

Part 2

The following steps will be taken by the date set out next to each step:

Step	Date by which step to be completed [if dates differ by party, indicate a date for each party] [dd/mmm/yyyy]
Joint expert's report served	
Expert reports served	
Responding expert reports served	
Notices of objection to expert evidence served (Rule 11-6 (10) )	
Experts confer and serve report summarizing points of difference	
Other [identify]	
Other [identify]	

Part 3

If the information set out in the foregoing Part 1 or 2 is incomplete, the parties will apply to amend this order to complete that information by .....[dd/mmm/yyyy]..... .

7

**6 Witnesses (Rule 7-4 of the Supreme Court Civil Rules)**

The following steps will be completed by the date set out next to each step:

Step	Date by which step to be completed [if dates differ by party, indicate a date for each party] [dd/mmm/yyyy]
Serve lists of witnesses to be called at trial	
Other [identify]	
Other [identify]	

**7 Trial (Part 12 of the Supreme Court Civil Rules)**

- (a) Estimated length of the trial: .....[days].....;
- (b) .....[party(ies)]....., will file a Notice of Trial in Form 40 to secure the trial date by .....[dd/mmm/yyyy]..... .

**8 Other**

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Court forms are available at: [www.ag.gov.bc.ca/courts/other/supreme/2010SupRules/info/index\\_civil.htm](http://www.ag.gov.bc.ca/courts/other/supreme/2010SupRules/info/index_civil.htm).

They can be completed online and filed electronically using Court Services Online:  
[www.courtservicesonline.gov.bc.ca](http://www.courtservicesonline.gov.bc.ca).

They can also be printed and completed manually; or completed online, printed and filed.

**All parties must sign the order, unless signed by the judge or master, and then submitted to the court registry for entry; once entered, it is returned to the submitting party, who should send copies to the other parties.**

1. The style of proceeding is the part at the top of the document that identifies your case within the court system. You will use the style of proceeding on every one of your documents, whether they are filed in the court registry or not. Insert the court number, the location of the registry (e.g., Vancouver), as it is part of your style of proceeding. Write in the names of the plaintiff and defendant in capital letters (not addresses) in the style of proceeding.
  2. Include the name of the judge or master who presided over the case planning conference, as well as the date the order was made.
  3. For example: plaintiff to deliver list of documents within 15 days; defendant to deliver list of documents within 15 days of receipt of plaintiff's list.
  4. Specify the time limits set for examinations for discovery (e.g., 4 hours).
  5. Specify the court applications that you anticipate (e.g., an application for production of correspondence between the defendant Joe Brown and John Green regarding the sale of the defendant's business; an application to add John Green as a defendant to the action).
  6. Provide information about the experts who you anticipate will give evidence at trial (e.g., the plaintiff intends to call Jane Blue as an expert on the effects of alcohol consumption before participating in sports; Joint expert Betty White on snow conditions at Black Mountain ski resort on date of accident).
  7. Provide information about the witnesses you anticipate will give evidence at trial.
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