

NOTES

Form 2

(Rule 3-3 (1))

[Style of Proceeding]

RESPONSE TO CIVIL CLAIM

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

Filed by:[party(ies)]..... (the “defendant(s)”)

Part 1: RESPONSE TO NOTICE OF CIVIL CLAIM FACTS

Division 1 – Defendant’s(s’) Response to Facts

[Indicate, for each paragraph in Part 1 of the notice of civil claim, whether the fact(s) alleged in that paragraph is(are) admitted, denied or outside the knowledge of the defendant(s).]

- 1 The facts alleged in paragraph(s)[list paragraph numbers]..... of Part 1 of the notice of civil claim are admitted.
- 2 The facts alleged in paragraph(s)[list paragraph numbers]..... of Part 1 of the notice of civil claim are denied.
- 3 The facts alleged in paragraph(s)[list paragraph numbers]..... of Part 1 of the notice of civil claim are outside the knowledge of the defendant(s).

Division 2 – Defendant’s(s’) Version of Facts

[Using numbered paragraphs, set out the defendant’s(s’) version of the facts alleged in those paragraphs of the notice of civil claim that are listed above in paragraph 2 of Division 1 of this Part.]

- 1
- 2

Division 3 – Additional Facts

[If additional material facts are relevant to the matters raised by the notice of civil claim, set out, in numbered paragraphs, a concise statement of those additional material facts.]

- 1
- 2

Part 2: RESPONSE TO RELIEF SOUGHT

[Indicate, for each paragraph in Part 2 of the notice of civil claim, whether the defendant(s) consent(s) to, oppose(s) or take(s) no position on the granting of that relief.]

- 1 The defendant(s) consent(s) to the granting of the relief sought in paragraphs[list paragraph numbers]..... of Part 2 of the notice of civil claim.
- 2 The defendant(s) oppose(s) the granting of the relief sought in paragraphs[list paragraph numbers]..... of Part 2 of the notice of civil claim.
- 3 The defendant(s) take(s) no position on the granting of the relief sought in paragraphs[list paragraph numbers]..... of Part 2 of the notice of civil claim.

Part 3: LEGAL BASIS

8

[Using numbered paragraphs, set out a concise summary of the legal bases on which the defendant(s) oppose(s) the relief sought by the plaintiff(s) and specify any rule or other enactment relied on. The legal bases for opposing the plaintiff's(s') relief may be set out in the alternative.]

1

2

9

Defendant's(s') address for service: *[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]*

Fax number address for service (if any):

NOTES

Court forms are available at: 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. They can also be printed and completed manually; or completed online, printed and filed.

File this form in the court registry and serve it on the plaintiff.

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. This is where you respond to the facts that the plaintiff has set out in the notice of civil claim. There are facts that you may agree with (e.g., the date that the plaintiff fell down your stairs); disagree with (e.g., that your stairs were unsafe); or you don't know (e.g., that it was – 5 degrees Celsius on the day of the accident).
 3. State your own version of the facts here. Give details of the items that you disagree with in part 2 of the previous section.
 4. State other facts that are important to your case that were not raised by the plaintiff (e.g., that the plaintiff climbed over a locked gate to get into your yard).
 5. With respect to the orders that the plaintiff is asking the court to make, set out which ones (if any) you agree to.
 6. With respect to the orders that the plaintiff is asking the court to make, set out which ones you don't agree with.
 7. With respect to the orders that the plaintiff is asking the court to make, set out which ones (if any) you don't take a position on (e.g., are satisfied with whatever the court orders on that issue).
 8. Set out the legal basis of your claim, including the Court Rules, legislation, and case law that support your claim (e.g., the plaintiff trespassed on your property and is not entitled to damages for personal injury according to *Brown v. Smith*, 2009 BCSC 200).
 9. Set out your name. Your address must be a physical location (not just a post office box) where documents can be delivered.
-