

# NOTES

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## Form 8

(Rules 3-8 (2), (3), (5) and (6) )

No. \_\_\_\_\_

Registry

*In the Supreme Court of British Columbia*

Between

Plaintiff(s)

and

Defendant(s)

BEFORE A REGISTRAR

### DEFAULT JUDGEMENT

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

*[Complete the form in accordance with the instructions found in the bracketed italicized wording and then remove all bracketed italicized wording so that it does not appear in the form when the form is filed.]*

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*[Select whichever one of the 2 following provisions is correct, complete the selected provision and remove the provision that has not been selected so that it does not appear in the form when the form is filed.]*

The plaintiff(s) having filed and served a notice of civil claim and the defendant(s) \_\_\_\_\_  
[names(s)]

having failed to file and serve a response to civil claim within the time allowed;

Pursuant to an order made by \_\_\_\_\_ on \_\_\_\_\_  
[judge/master] [dd/mmm/yyyy]

that this proceeding continue as if no response to civil claim had been filed by the defendant(s)

\_\_\_\_\_  
[names(s)]

3

[Select whichever one or more of the 4 following provisions is/are correct, complete the selected provision(s) and remove the provision(s) that has/have not been selected so that it/they do(es) not appear in the form when the form is filed.]

[Select and complete this provision if Rule 3-8 (3) is applicable.]

THIS COURT ORDERS that the defendant(s) \_\_\_\_\_  
[name(s)]

pay to the plaintiff(s) the sum of \$ \_\_\_\_\_ ;

[Select and complete this provision if Rule 3-8 (5) is applicable]

THIS COURT ORDERS that the defendant(s) \_\_\_\_\_  
[name(s)]

pay to the plaintiff(s) damages to be assessed;

[Select and complete this provision if Rule 3-8 (6) (a) (i) is applicable]

THIS COURT ORDERS that the defendant(s) \_\_\_\_\_  
[name(s)]

deliver to the plaintiff(s) the goods detained by defendant(s), being  
\_\_\_\_\_,  
[description of good(s)]

or pay to the plaintiff(s) the value of the goods to be assessed;

[Select and complete this provision if Rule 3-8 (6) (a) (ii) is applicable]

THIS COURT ORDERS that the defendant(s) \_\_\_\_\_  
[name(s)]

pay to the plaintiff(s) the value to be assessed of the goods detained by the defendant(s),  
\_\_\_\_\_, being  
[name(s)]

\_\_\_\_\_  
[description of good(s)] ;

THIS COURT FURTHER ORDERS that the defendant(s) \_\_\_\_\_ pay to the plaintiff(s)  
[name(s)]

- 4** [Set out one or more of the following as applicable:]
- 5**  interest as claimed in the amount of \$ \_\_\_\_\_
  - 6**  interest under the *Court Order Interest Act* in the amount of \$ \_\_\_\_\_
  - 7**  costs in the amount of \$ \_\_\_\_\_
  - 8**  costs to be assessed

Date: \_\_\_\_\_  
[dd/mmm/yyyy]

\_\_\_\_\_  
Registrar

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## NOTES

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.

**File this form in the court registry and personally serve it on the party against whom you obtained default judgment.**

1. The style of proceeding is the part at the top of your 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. The court registry will insert the registry number, which you must use on all your documents. Insert the location of the registry (e.g., Vancouver). Write in the names of the plaintiff and defendant in capital letters (not addresses).
  2. Choose the appropriate option and delete the other one.
  3. Choose the appropriate option and delete the rest. Name the defendant(s) who are the subject of the court's order. Complete the option that the court ordered (payment to the plaintiff of a fixed amount; payment to the plaintiff an amount to be assessed; delivery of goods to the plaintiff; or payment to the plaintiff of the value of the goods to be assessed).
  4. Check off one or more boxes that apply to your order.
  5. This amount is interest owing on your unpaid judgment.
  6. Court order interest rates are posted on the court's website at [www.Courts.gov.bc.ca/Supreme\\_Court/about\\_the\\_Supreme\\_Court](http://www.Courts.gov.bc.ca/Supreme_Court/about_the_Supreme_Court). Scroll down to Registrar's Office and click Court Order Interest Rates.
  7. Calculate the costs by looking at s. 6(1) of Appendix B to the Supreme Court Civil Rules, plus your disbursements.
  8. Check this box if your costs are still to be assessed.
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