

Form 12
(Rule 26(1)(a), (2)(a) and (4)(a))

Court of Appeal File No.

COURT OF APPEAL

BETWEEN:

Appellant/Respondent
(Plaintiff)

AND:

Appellant/Respondent
(Defendant)

APPELLANT'S/RESPONDENT'S/JOINT/APPEAL BOOK

(Name of appellant)

(Name of respondent)

(Name of appellant's counsel, if any)

(Name of respondent's counsel, if any)

(Address of appellant or, if the appellant is represented, name and address of the appellant's law firm)

(Address of respondent or, if the respondent is represented, name and address of the respondent's law firm)

COMPLETION INSTRUCTIONS

Each volume of an Appeal Book must

- (a) be bound with a blue cover, and
- (b) if there is more than one volume of the Appeal Book, be labelled with the volume number on its spine.

The Appeal Books must contain only so much of the evidence, including exhibits, affidavits and other documents, as is necessary to resolve the issues raised on appeal, as follows:

If the appeal is from a hearing at which some or all of the evidence was adduced by oral testimony:

- Exhibits must be included in the Appeal Books in the order in which they were filed.
- The index must describe each exhibit by exhibit number, a full description of the document and its date.
- If an exhibit is a document with small print or is a faded copy of a document, the document must not form part of the Appeal Books unless it has been legibly reproduced.
- If an exhibit cannot form part of the Appeal Books because it cannot be legibly reproduced, the

original exhibit may be ordered from the trial court registry to be available to the court at the hearing of the appeal.

- Only filed copies of the exhibits or affidavits referred to at the hearing should be included.
- If an exhibit is a photograph, it must be legibly reproduced on a colour photocopier or by other current technology that can accurately reproduce photographs.

OR

If the appeal is from a hearing at which all of the evidence was adduced by affidavit:

- The party preparing an Appeal Book must include in that Appeal Book only filed copies of those affidavits and exhibits that are necessary to resolve the issues raised on the appeal.
- Affidavits must be included in the Appeal Books in the order in which they were filed.
- The index must describe each affidavit by including the name of the deponent, the date the affidavit was filed and a description of any attached exhibits.

In addition to the foregoing:

- If the material to be included in an Appeal Book consists of 300 pages or less, that material may be included in an Appeal Book consisting of a single volume.
- If the material to be included in an Appeal Book consists of more than 300 pages, that material must be included in an Appeal Book consisting of 2 or more volumes and each volume
 - (a) must be limited to 200 pages,
 - (b) must be sequentially numbered, and
 - (c) must contain at the beginning an index of all the evidence contained in the volume.
- If practicable, a party's Appeal Book must not include any documents included in another party's Appeal Book.
- Each page in the Appeal Books must be printed on the left.
- Each page must be numbered consecutively, on the upper left hand corner of the page.