

Form 16  
(Rule 34(2)(a))

Court of Appeal File No. ....

**COURT OF APPEAL**

BETWEEN:

Appellant/Respondent  
(Plaintiff)

AND:

Appellant/Respondent  
(Defendant)

**MOTION BOOK  
APPLICATION TO VARY AN ORDER OF A JUSTICE**

(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**

A motion book must be bound with a buff cover and must contain the following material in chronological order:

1. Reasons for judgment of the justice and a copy of the order under review, if available, or if no copy of the entered order is available, in the form agreed to by counsel;
2. Those parts of the reasons for judgment in the originating court that are relevant to this review application and the final order that is the subject of the appeal;
3. Those parts of the evidence filed before the justice that the applicant intends to refer to in argument;
4. Subsequent affidavits, if any;
5. A brief memorandum of argument, not exceeding 10 pages in length (exclusive of the table of authorities) divided into 5 parts, namely
  - Part I: A brief statement of facts,
  - Part II: A statement of the points in issue,
  - Part III: A brief argument setting out why the justice erred in making the decision under review,
  - Part IV: The nature of the order requested, and
  - Part V: A table of the authorities to be referred to, arranged alphabetically.

Appendices: If the applicant intends to rely on an enactment, a copy of the relevant sections of the enactment must be included.