

APPENDIX E: MOTIONS DATA COLLECTION FORM

INSTRUCTIONS: The Discovery Review Task Force seeks data on motions activity. This form must be completed & submitted to the court registrar prior to the motion.

PART A is to be completed by the **Moving Party** (including moving parties on cross-motions). **PART B** is to be completed by the **Court**.

PART A: TO BE COMPLETED BY MOVING PARTY

COURT FILE NO.: _____

1. **Is one or more of the orders sought on this motion related to documentary, oral or written discovery, or cross-examination on an affidavit?** Yes No

IF YOU ANSWERED NO, PLEASE DO NOT ANSWER THE REMAINING QUESTIONS. THANK-YOU.

2. **Is this case a** (select ONE category only):

- a. Simplified Procedure action
- b. Case Managed action
- c. Other action
- d. Application

Please check the category or categories that best describe the type of case:

- a. Collection
- b. Motor vehicle
- c. Real property
- d. Contract / commercial
- e. Wrongful dismissal
- f. Estates
- g. Bankruptcy
- h. Construction lien
- i. Negligence
- j. Landlord/tenant
- k. Trust / fiduciary duty
- l. Medical malpractice
- m. Other professional malpractice
- n. Personal injury
- o. Class action:
- p. Other (specify):

3. **By what method is this motion being heard:**

- a. by appearance
- b. in writing
- c. by teleconference
- d. by case conference

4. **What type of order is being sought at this motion:**

i. Motions related to Documentary Discovery

- a. Order for particulars
- b. Order to compel disclosure or production of documents
- c. Order to inspect document for determining claim of privilege
- d. Order to produce affidavit of documents
- e. Order for production of documents from a non-party
- f. Order to cross-examine on affidavit of documents
- g. Order for service of a further and better affidavit of documents
- h. Other (*specify*): _____

ii. Motion related to Oral or Written Examination for Discovery

- a. Order to compel attendance at examination for discovery / to answer written questions
- b. Order for answers to undertakings (information held by party examined).....# _____ of undertakings
- c. Order for answers to undertakings (information held by 3rd party).....# _____ of undertakings
- d. Order for answers to refusals (based on privilege)# _____ of refusals
- e. Order for answers to refusals (based on relevancy).....# _____ of refusals
- f. Order for leave to examine a party more than once
- g. Order for leave to examine non-party
- h. Order to withhold information for divided discovery
- i. Other (*specify*): _____

iii. Motion related to Cross-Examination on an Affidavit (on an Application or Motion)

- a. Order to compel attendance at cross-examination
- b. Order for answers to undertakings (information held by party examined)# _____ of undertakings
- c. Order for answers to undertakings (information held by 3rd party).....# _____ of undertakings
- d. Order for answers to refusals (based on privilege).....# _____ of refusals
- e. Order for answers to refusals (based on relevancy).....# _____ of refusals
- f. Order for leave to cross-examine a deponent more than once

PART B: TO BE COMPLETED BY THE JUDGE OR MASTER

5. **Please indicate the disposition of the motion:**

- a. Order as asked
- b. Order refused
- c. Adjourned
- d. Other: Order Partially Granted Other disposition

6. **Please indicate the cost award, if any:**

- a. partial indemnity basis, pursuant to cost grid \$ _____
- b. substantial indemnity basis, pursuant to cost grid \$ _____
- c. other cost award \$ _____

7. **Please indicate the duration of the motion:** _____ day _____ hr _____ min