CANADA

PROVINCE OF QUEBEC

DISTRICT OF [MONTREAL or QUEBEC]

No.: [insert the file number in appeal]

No.: [insert the file number in first instance]

COURT OF APPEAL OF QUEBEC

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[INSERT THE APPELLANT’S NAME]

APPELLANT [or APPLICANT] *-* [insert the status in first instance]

v.

[INSERT THE RESPONDENT’S NAME]

RESPONDENT - [insert the status in first instance]

and

[INSERT THE IMPLEADED PARTY’S NAME]

IMPLEADED PARTY - [insert the status in first instance]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NOTICE OF DISCONTINUANCE**

**(Article 213 *C.C.P*.)**

[Appellant OR other status - insert your status in appeal]

Dated [insert the date]

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The [Appellant OR other status - insert your status in appeal], appearing personally in this case, discontinues its [insert the name of the pleading] filed on [insert the filing date of the pleading], in the present matter.

*[OR]*

The [Appellant OR other status - insert your status in appeal], represented by the undersigned counsel, [insert the name of counsel], discontinues its [insert the name of the pleading] filed on [insert the filing date of the pleading], in the present matter.

This [insert the date], in [name of city]

 [Your signature]

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 [Your name]

 [Appellant OR other status - insert your status in appeal]

 [Address]

 [Telephone number]

 [Fax number, if any]

 [Email address, if any]

 [Permanent code, where applicable]

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| --- | --- | --- |
|  | No.: [insert the file number in appeal]No.: [insert the file number in first instance]COURT OF APPEAL OF QUEBECDISTRICT OF [MONTREAL or QUEBEC][INSERT THE APPELLANT’S NAME]APPELLANT [or APPLICANT] – [insert the status in first instance]v.[INSERT THE RESPONDENT’S NAME]RESPONDENT – [insert the status in first instance]and[INSERT THE IMPLEADED PARTY’S NAME]IMPLEADED PARTY - [insert the status in first instance]**NOTICE OF DISCONTINUANCE**[Appellant OR other status - insert your status in appeal]Dated [insert the date][Name (and permanent code, where applicable)][Address][Telephone number][Fax number][Email address] |  |

**REMARKS**

**Filing and Notification**

* The clerk of the Court of Appeal must be informed about the discontinuance without delay (s. 45 of the *Regulation of the Court of Appeal of Quebec in Civil Matters* (hereinafter the“*R.C.A.Q.Civ.M.*”)).
* The notice of discontinuance must be notified to the other parties having filed a representation statement or non-representation statement and filed with the Court office together with proof of notification (art. 213 of the *Code of Civil Procedure* and s. 28 *R.C.A.Q.Civ.M*.).

**Formatting**

* Every pleading must be formatted as follows (s. 24 *R.C.A.Q.Civ.M*.):
* Every pleading must be drafted on good quality “letter-sized 8 ½ x 11” white paper (21.5 cm x 28 cm);
* Handwritten pleadings will not be accepted;
* The text must appear on the front of each sheet, with a minimum of one and one-half spaces between lines, except for quotations, which must be single-spaced and indented. Margins must be no less than 2.5 cm;
* The font must be 12-point Arial for the entire text, except for quotations, which may be in 11-point Arial, and footnotes, which may be in 10-point Arial;
* Every pleading must be signed by the party or the party’s counsel.

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| **Warning**: This template does not exempt those who use it from reading the applicable legislation. It is available to facilitate the preparation of pleadings. Every pleading must be submitted to the clerk, who may refuse it or require modifications if the pleading does not comply with the applicable legislation. |