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| ONTARIO | | | | | | | | |
|  | | | | | | |  | Court File Number |
| (Name of court) | | | | | | | Form 39: Notice of  Approaching Dismissal |
| **at** |  | | | | | |
|  | Court office address | | | | | |
| Applicant(s) | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |
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| Respondent(s) | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |
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| **TO ALL PARTIES:** | | | | | | | | |
| **1. THE CLERK OF THE COURT WILL DISMISS THIS CASE WITHOUT FURTHER NOTICE** unless, within 60 days after service of this notice, one of the parties: | | | | | | | | |
| (a) | | obtains an order under subrule 39(3), 40(3) or 41(3) to lengthen the time to do anything described below; | | | | | | |
| (b) | | files an agreement signed by all parties and their lawyers, if any, for a final order disposing of all issues in the case, and a notice of motion for an order carrying out the agreement; | | | | | | |
| (c) | | serves on all parties and files a notice of withdrawal (Form 12) that discontinues all outstanding claims in the case; | | | | | | |
| (d) | | schedules or adjourns the case for trial; or | | | | | | |
| (e) | | arranges a case conference or settlement conference for the first available date. | | | | | | |
| **2.** If a case conference or settlement conference is arranged for a date as described in clause 1 (e) but the hearing does not take place on that date and is not adjourned by a judge, the case will be dismissed without further notice. | | | | | | | | |
| **3.** Any temporary orders, including temporary orders for support and interim restraining orders under section 46 of the *Family Law Act* or under section 35 of the *Children’s Law Reform Act*, will expire upon the dismissal of the case. | | | | | | | | |
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| Put a line through any blank space left on this page. | | | | | | | | |
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| Date of signature | | |  | | | Signature of clerk of the court | | |