Form 48D

Courts of Justice Act

order dismissing action for delay

(General heading)

order dismissing action

 The plaintiff has not *(give particulars of plaintiff’s default under rule 48.14)* and has not cured the default.

 IT IS ORDERED that this action be dismissed for delay.

Date ........................................................................... Signed by ...........................................................................

 Local registrar

 *(Address of court office)*

NOTE: An order under rule 48.14 dismissing an action may be set aside under rule 37.14.

NOTE TO DEFENDANT(S) (AND OTHER PARTIES): When an order under rule 48.14 is made dismissing an action, rule 48.14(9) provides that any counterclaim, crossclaim or third party claim will be dismissed within 30 days thereafter in accordance with rules 24.03 and 24.04. Under rule 24.03, any counterclaim is deemed to be discontinued without costs unless the defendant delivers a notice of election to proceed with the counterclaim (Form 23B) within thirty days after the dismissal. Under rule 24.04(1) any crossclaim or third party claim made by a defendant is deemed to be dismissed, unless the court orders otherwise.

RCP-E 48D (November 1, 2016)