

**Form 14: Deemed Abandonment – Explanation for Delay and Proposed Plan**

The Court aims to have appeals proceed quickly. If a hearing date for the appeal is not set within 1 year after the Notice of Appeal is filed, the registrar will start a process to have the appeal deemed abandoned.

The purpose of the form is to give an Appellant who has received a notice from the registrar an opportunity to explain the delay and offer a plan for how the appeal will proceed. If you have received a notice from the registrar that the appeal is about to be deemed abandoned, failure to file this form within 60 days in accordance with rule 17 will result in a declaration that the appeal is deemed abandoned. The other party will be entitled to claim costs related to the appeal from you.

You should read all of rule 17 before proceeding with the form.

Note regarding a cross-appeal: If an appeal is deemed abandoned and another party has filed a cross-appeal, they may file a notice of Election to Proceed with a Cross-Appeal (rule 11(6)(a) - form 16 – guideline 16). In that case, the cross-appeal may proceed.

On the form fill out the following:

The heading: Use the same heading as is used in the Notice of Appeal. (See guideline 1.)

The style of cause: Use the same style of cause as is used in the Notice of Appeal. (See guideline 1.)

Reasons for delay: Explain the reasons for the delay in setting down the hearing for the appeal. The Court is not required to accept your explanation and may declare the appeal abandoned regardless. Therefore, ensure your explanation is a reasonable one.

Proposed plan: Fill out any applicable information and proposed dates for when materials will be filed and the appeal heard. You should consult with the Respondent in order to provide the Court with a mutually agreeable plan. If you are unable to reach agreement, the Court may give directions.

Date and sign the form.