

Form 40.04A
(rule 40.04)

File number: 20____ G _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

BETWEEN :

(Plaintiff's name) _____ **PLAINTIFF**

AND

(Defendant's name) _____ **DEFENDANT**

(Modify title of proceeding as necessary.)

Certificate of Readiness

1. The parties hereby jointly certify that, as of this date, this proceeding is ready for trial and that
 - pleadings have closed
 - no amendments to pleadings are contemplated
 - all relevant parties are before the court
 - all examinations for discovery have been completed, or are hereby waived
 - all interrogatories have been delivered and answered, or are hereby waived
 - lists of documents have been exchanged in accordance with the rules
 - all appropriate pre-trial applications have been taken

2. Current estimates of the number of witnesses to be called are as follows *(insert additional lines as necessary)*:

Party	Number of Witnesses
First Plaintiff:	_____
Second Plaintiff:	_____
Third Plaintiff:	_____
First Defendant:	_____
Second Defendant:	_____
Third Defendant:	_____

3. (a) Current estimates of the total of documents to be presented at trial are as follows (*insert additional lines as necessary*):

Party	Number of Documents
First Plaintiff:	_____
Second Plaintiff:	_____
Third Plaintiff:	_____
First Defendant:	_____
Second Defendant:	_____
Third Defendant:	_____

(b) A joint Book of Documents _____ (*choose one*) be entered in evidence by consent.

(c) It is anticipated that (*check as required*):

audio recordings may be entered/played in evidence

video recordings may be entered/played in evidence

a view of _____ may be required

a _____ language interpreter may be required for the evidence of _____.

And the party or parties proposing same hereby undertake to make all necessary arrangements to facilitate such activities at trial.

4. Current estimates of the number and area of expertise of expert witnesses to be called to give evidence are as follows:

Party	Number of Experts	Area of Expertise
First Plaintiff:	_____	_____
Second Plaintiff:	_____	_____
Third Plaintiff:	_____	_____
First Defendant:	_____	_____
Second Defendant:	_____	_____
Third Defendant:	_____	_____

5. It has been agreed that not more than _____ sitting days is a reasonable time for the hearing of all evidence and argument in this proceeding.

OR

The parties are not in agreement as to their estimate of a reasonable time for the hearing of all evidence and argument in this proceeding. The estimates of each party of the time involved in presentation of that party's case are as follows:

Party	Estimate of Time Required to Present Case
First Plaintiff:	_____
Second Plaintiff:	_____
Third Plaintiff:	_____

First Defendant: _____

Second Defendant: _____

Third Defendant: _____

6. The parties _____ request a settlement conference in which case they estimate _____ hours for its completion.
7. The parties _____ request a mini-trial in which case, they estimate _____ hours for its completion.
8. The trial record has been filed pursuant to Rule 40.04(1)(c).
9. *(Check box if applicable)*

Pursuant to the *Jury Act* we hereby jointly request that this proceeding be tried by a Judge with a Jury

OR

This proceeding involves an action of defamation, malicious prosecution, false imprisonment, seduction or breach of promise of marriage and the _____ hereby requests, pursuant to subsections 32(1) and (2) of the *Jury Act*, that the issues of fact be tried by a judge with a jury.

OR

The _____ hereby requests, pursuant to section 32(3) of the *Jury Act*, that this proceeding be tried by a judge with a jury, for the reasons that: _____

10. The parties hereby request, or if a settlement conference or mini-trial is requested, anticipate they will ultimately request:

the earliest available position on the General List;

OR

a position that will result in trial not before _____, on the General List;

OR

a fixed date, for the reasons that: (*Set out reasons.*)

OR

an early fixed trial date, for the reasons that: (*Set out reasons.*)

OR

The parties cannot agree on the manner and times of setting down of this proceeding for trial:

Party

Party's position and reasons

First Plaintiff:

Second Plaintiff: _____

Third Plaintiff: _____

First Defendant: _____

Second Defendant: _____

Third Defendant: _____

11. If the proceeding is settled before trial, we will give the Registrar prompt notice of the settlement by filing a Memorandum of Settlement or Notice of Discontinuance pursuant to Rule 39.03.

12. If we undertake to give promptly to the Registrar notice in writing of any information that may affect the estimated duration of trial or any changes in contemplated procedure or any circumstance that may result in delay of trial.

13. The counsel who shall have carriage of the proceeding at trial and/or who are authorized and will be fully briefed to attend and participate in any pre-trial or other conference are:

Party	Name of counsel (you may list more than one)
First Plaintiff:	_____
Second Plaintiff:	_____
Third Plaintiff:	_____
First Defendant:	_____
Second Defendant:	_____
Third Defendant:	_____

14. The parties jointly estimate that _____ hours is a reasonable time for the conduct of the pre-trial conference in this proceeding.

OR

The parties cannot agree as to the estimate of a reasonable time for the conduct of the pre-trial conference. The longest estimate of any party is _____ hours.

15. _____ Practices outside of the judicial centre in which the pre-trial conference will likely be held and therefore requests permission to participate in any pre-trial conference by telephone/teleconference and hereby agrees to be responsible for the actual costs of such telephone call or teleconference.

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

(Signature)
First Plaintiff/Solicitor for First Plaintiff

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

(Signature)
Second Plaintiff/Solicitor for Second Plaintiff

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

(Signature)
Third Plaintiff/Solicitor for Third Plaintiff

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

(Signature)
First Defendant/Solicitor for First Defendant

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

(Signature)
Second Defendant/Solicitor for Second Defendant

DATED at _____ (city/town), _____ (province or, if
outside of Canada, country), on the _____ (day) of _____ (month),
_____ (year).

(Signature)

Third Defendant/Solicitor for
Third Defendant