

Court File No. _____

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

BETWEEN: _____ **PLAINTIFF**
_____ **PLAINTIFF**
_____ **PLAINTIFF**

AND: _____ **DEFENDANT**
_____ **DEFENDANT**
_____ **DEFENDANT**

**Letter of Request for Examination of
Witness Out of the Jurisdiction**

To the Judicial Authority of _____ in the
_____ of _____

WHEREAS a proceeding is now pending in the Supreme Court of Newfoundland and Labrador,
Trial Division (General/Family) in which _____ is
plaintiff and _____ is defendant, and in which the
plaintiff claims _____

AND WHEREAS it has been represented to the Court that it is necessary for the purposes of
justice and for the due determination of the matters in dispute between the parties that the
following persons should be examined, upon oath or affirmation touching such other namely
_____ of _____, and
_____ of _____ and such
other persons as the solicitors or agents of the parties shall mutually request you in writing to
examine, and it appears that such persons are resident within your jurisdiction.

NOW THEREFORE I, _____, a Judge of the Supreme Court of Newfoundland and Labrador, Trial Division, hereby request that for the reasons aforesaid and for the assistance of the Court, you will be pleased to summon the solicitors or agents of the parties and the persons to be examined, to attend at such time and place as you shall appoint, either before you or such other person as according to your procedure is competent to take the examination of witnesses, and that you will cause such person to be examined orally or by interrogatories touching the matters in question, in the presence of the solicitors or agents of the plaintiff and defendant, or such of them as shall, on due notice given, attend the examination.

AND I FURTHER REQUEST THAT you will permit the solicitors or agents of any party, or such of them as shall be present to examine orally or by interrogatories, any person, as may, after due notice in writing, be produced on his or her behalf, and the opposing party to cross-examine the person orally or by interrogatories, and the party producing the person for examination to re-examine him or her orally or by interrogatories.

AND I FURTHER REQUEST THAT you will be pleased to cause the evidence of any such person to be reduced into writing, and any book, letter, paper and document produced on the examination to be duly marked for identification, and that you will be further pleased to authenticate the depositions taken on the examination and any book, letter, paper or document, or a certified copy of the same or any extract therefrom by the seal of your tribunal or in such other ways as is in accordance with your procedure, and to return the same, together with any interrogatories and note of the charges and expenses payable in respect of the execution of this request to the Under Secretary of State for External Affairs of Canada at _____, Ottawa, Canada, for transmission to the Registrar of the Supreme Court of Newfoundland and Labrador, at _____, Newfoundland and Labrador.

AND I FURTHER REQUEST THAT you will cause the examination to be conducted in accordance with the enclosed instructions, with such modifications as may be necessary.

DATED at _____, Newfoundland and Labrador, this _____ day of _____, _____.

A Judge of the Supreme Court
Of Newfoundland and Labrador
Trial Division