

File No. / / /

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK

TRIAL DIVISION

JUDICIAL DISTRICT OF (DISTRICT)

BETWEEN:

HER MAJESTY THE QUEEN,

-and-

(NAME OF ACCUSED).

**NOTICE OF MOTION
(Form 37A)**

**AVIS DE MOTION
(Formule 37A)**

TO:

DESTINATAIRE:

Her Majesty the Queen

**Att: (NAME AND ADDRESS OF
PROSECUTOR)**

The accused **(NAME OF ACCUSED)**, will apply to the Court at the Court of Queen's Bench Chambers, (DISTRICT), New Brunswick, on the ___ day of _____, 2007, at _____ a.m. (or p.m.) for an Order:

L'accusé demandera à la Cour à _____ le ____, _____, 2007 ; à __ h__ , d'ordonner :

(a) Pursuant to s. 587 of the *Criminal Code of Canada* for Her Majesty the Queen to furnish particulars with regards to the allegations of fraud that is alleged against the accused;

(b) Costs of this Motion pursuant to Rules 37 and 59 of the Rules of Court;

(c) Such further and other relief as this Honourable Court may deem expedient and fair.

The said accused further relies upon Rules (RELEVANT RULES) of the Rules of Court.

A l'audition de la motion, les affidavits ou les autres preuves littérales suivants seront présentées:

Upon the hearing of the Motion, the following Affidavits or other documentary evidence will be presented:

- 1. Affidavit of (NAME OF AFFIANT), sworn to on the ____ day of (MONTH), 2007;
- 2. Such further evidence as this Honourable Court may deem necessary.

You are advised that:

Sachez que:

- (a) you are entitled to issue documents and present evidence at the hearing in English or French or both;
- (b) the accused intends to proceed in the English language; and
- (c) If you intend to proceed in the other official language, an interpreter may be required and you must advise the clerk at least 5 days before the hearing.

- (a) vous avez le droit d'émettre des documents et de présenter votre preuve à l'audience en français, en anglais ou dans les deux langues;
- (b) l'accusé a l'intention d'utiliser la langue anglaise; et
- (c) si vous avez l'intention d'utiliser l'autre langue officielle, les services d'un interprète pourront être requis et vous devrez en aviser le greffier au moins 5 jours avant l'audience.

DATED at (CITY), New Brunswick, this __ day of (MONTH), 2007.

FAIT à Saint John, le _____, 2007.

Per:

(NAME OF LAWYER)
 Counsel for the Defence of
 (NAME OF ACCUSED)

Avocat de l'accusé

(ADDRESS OF FIRM)

