

**NOTICE OF CONTEST**  
**(APPLICATION IN COURT)**

1. A Respondent who is served with a Notice of Application in Court and who wishes to contest the application MUST file a Notice of Contest, no more than five (5) days after the day the respondent is notified or served with the Notice of Application in court.
2. The Notice of Contest (Application In Court) on Form 5.08, once filed with the court becomes official indication of the Respondent's desire to contest the application.
3. There is no court filing fee required on the filing of the Notice of Contest.
4. The Respondent attends court on the date and at the time indicated in the Notice of Application in court for the motion for directions.
5. At the Motion for Direction, the judge will set the date for the Respondent to file a response affidavit and a response brief on the application. The judge will also set the date for the applicant to file a rebuttal affidavit, an applicant brief and a reply brief.
6. Time is calculated in accordance with Civil Procedure Rule 94 - this means you do not count the day you file the documents nor do you count the hearing date. You count the days between excepting Saturday, Sunday or a day the Prothonotary's Office is closed