**Form 89.05**

20 No.

Supreme Court of Nova Scotia

Between: [copy standard heading]

[name] [title in proceeding]

and

[name] [title in proceeding]

**Notice of Motion for Contempt Order**

To:[name and community of the party sought to be held in contempt]

### Motion

[name of party making motion] , the [*plaintiff/defendant/third party/intervenor/applicant/ respondent*] in this proceeding, moves for an order holding [name] in contempt and punishing [*him*/*her*/*it*] for the contempt.

### The allegation against you

It is alleged that you [provide a precise description of the conduct alleged to be contemptuous] .

### Time and place

Your contempt hearing is to be held on , 20 at [*a.m./p.m.*] in the

[*Courthouse/Law Courts*] , Street, , Nova Scotia.

### Your rights

You are presumed innocent, unless the contrary is proved beyond reasonable doubt. You have the right to retain and instruct counsel and to be represented by counsel at the hearing. You may require that a witness who provides an affidavit against you attend the hearing to be crossexamined by you. You do not have to present evidence. If you choose to do so, you may file an affidavit or affidavits in accordance with the *Civil Procedure Rules* or wait until after you conduct any cross-examination and you decide whether to present evidence. You may make submissions after the evidence is complete.

### Evidence

The evidence for holding you in contempt is as follows [*affidavit of sworn on ,20 and filed with this notice*/*affidavit of sworn on , 20 already filed in this proceeding* *and delivered to you*/*affidavit of to be sworn and filed before the deadline, about* .]

A copy of each affidavit is to be delivered to you with this notice, unless it was delivered to you for a previous motion.

### Signature

Signed , 20

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

Print name: