

NO. S-090331
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CANADIAN FEDERATION OF STUDENTS – BRITISH COLUMBIA COMPONENT

PLAINTIFF

AND:

SIMON FRASER STUDENT SOCIETY

DEFENDANT

NOTICE OF MOTION

(Action to Be Heard With Petition)

To the Plaintiffs:

TAKE NOTICE that an application will be made by the Defendant to the presiding judge or master at the courthouse at 800 Smithe St., Vancouver, British Columbia, at a date and time to be set for the following orders:

1. An order that the hearing or trial in the matters of *Canadian Federation of Students et al. v. Simon Fraser Student Society* Vancouver Registry No. S-089144 and *Simon Fraser Student Society v. Canadian Federation of Students et al.*, Vancouver Registry No. S-082674 be heard at the same time as the hearing or trial of these proceedings, and that evidence in one be evidence in the others;
2. An order abridging the time in which to deliver this application, and an order that this application be heard on 28-30 January 2008, or such other time as the court may order;
3. Costs; and
4. Such other or further relief as the Court may order.

The applicant will rely on Rules 3 and 5(8).

At the hearing of the application, the applicant will rely on the following affidavit(s) and other documents:

1. The affidavit of Jacqueline Lalande No. 1, sworn 15 January 2009.

The applicant estimates that the application will take twenty minutes.

If you wish to receive notice of the time and date of the hearing or to respond to the application, you must, within the proper time for response,

IN THE SUPREME COURT OF BRITISH COLUMBIA

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NOTICE OF MOTION

(Action to Be Heard With Petition)

To the Plaintiffs:

TAKE NOTICE that an application will be made by the Defendant to the presiding judge or master at the courthouse at 800 Smithe St., Vancouver, British Columbia, at a date and time to be set for the following orders:

1. An order that the hearing or trial in the matters of *Canadian Federation of Students et al. v. Simon Fraser Student Society* Vancouver Registry No. S-089144 and *Simon Fraser Student Society v. Canadian Federation of Students et al.*, Vancouver Registry No. S-082674 be heard at the same time as the hearing or trial of these proceedings, and that evidence in one be evidence in the others;
2. An order abridging the time in which to deliver this application, and an order that this application be heard on 28-30 January 2008, or such other time as the court may order;
3. Costs; and
4. Such other or further relief as the Court may order.

The applicant will rely on Rules 3 and 5(8).

At the hearing of the application, the applicant will rely on the following affidavit(s) and other documents:

1. The affidavit of Jacqueline Lalande No. 1, sworn 15 January 2009.

The applicant estimates that the application will take twenty minutes.

If you wish to receive notice of the time and date of the hearing or to respond to the application, you must, within the proper time for response,

- (a) deliver to the applicant
 - (i) 2 copies of a response in Form 124, and
 - (ii) 2 copies of each of the affidavits and other documents, not already in the court file, on which you intend to rely at the hearing, and
- (b) deliver to every other party of record
 - (i) one copy of a response in Form 124, and
 - (ii) one copy of each affidavit and other document, not already in the court file, on which you intend to rely at the hearing.


TIME FOR RESPONSE

If the application is for a final judgment under Rule 18A, the response must be delivered on or before the 11th day after the delivery to you of the notice of motion.

In all other cases, the response must be delivered on or before the 8th day after the later of

- (a) the last date fixed for entry of appearance by you, and
- (b) the date on which the notice of motion was delivered to you.

Dated 30 December 2008


Solicitor for the Defendant

THIS Notice of Motion is prepared and delivered by Susan M. Coristine of Coristine Woodall, Barristers and Solicitors, whose place of business and address for service is 660 – 220 Cambie Street., Vancouver, British Columbia, V6B 2M9, Phone: (604) 689-3242, Fax: (604) 689-3292.