# Form 38 [Rule 8.5]

Clerk’s Stamp

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| COURT FILE NUMBER |  |
| COURT | COURT OF KING’S BENCH OF ALBERTA |
| JUDICIAL CENTRE |  |
| PLAINTIFF(S) (APPLICANT(S)) |  |
| DEFENDANT(S) (RESPONDENT(S)) |  |
| DOCUMENT | **APPLICATION FOR COURT TO SET A TRIAL DATE** |

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| --- | --- |
| ADDRESS FOR SERVICE AND  CONTACT INFORMATION OF  PARTY FILING THIS DOCUMENT |  |

**NOTICE TO RESPONDENT(S)**

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date

Time

Where

Before Whom

Go to the end of this document to see what else you can do and when you must do it.

**Remedy claimed or sought:**

1. An order setting a trial date or directing the court clerk to do so.

**Grounds for making this application:**

2. The parties have participated in at least one of the dispute resolution processes described in rule 4.16(1) (or an order has been made under rule 4.16(2) waiving the dispute resolution process requirement).

3. The parties are or likely will be ready for trial by a date scheduled by the Court for trial of the action.

**Material or evidence to be relied on:**

4.

**Applicable rules:**

5. 4.16 and 8.5.

**Applicable Acts and regulations:**

6.

**How the application is proposed to be heard or considered:**

7.

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| --- |
| **WARNING**  If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered. |