

**Practice Memorandum No. 13**

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**Intimate Images and Cyber-Protection**

**Alternate Resolution**

1. A small number of complaints under the 2013 *Cyber-Safety Act* went to court. Most were resolved with the help of the CyberSCAN unit at the Department of Justice. We can expect the same with the 2017 *Intimate Images and Cyber-protection Act*.
2. A person who wishes to start a proceeding in court under this statute should contact CyberSCAN if they have not already done so. They can be reached at <https://cyberscan.novascotia.ca/> or (855) 702-8324.

**Main Subjects of the 2017 Act**

3. The Act permits proceedings to be started for orders of the court against unlawful electronic distribution of intimate images, against cyber-bullying, for information that may help identify the source of the distribution or cyber-bullying, or for taking down or disabling a source. The court also has power to provide other orders that are just and reasonable. See s. 5 and 6 of *Intimate Images and Cyber-protection Act*.

**Applicant as Named Party**

4. An applicant who is an adult must be identified by name. The adult may make a motion to the court for a declaration that s. 9 to the Act applies and for the approval of a pseudonym. A motion of that kind must be made with notice to the other parties and to the press, unless the court orders otherwise. Notice can be given to the press through [http://www.courts.ns.ca/Publication\\_Ban\\_Notice/pubbanform.htm](http://www.courts.ns.ca/Publication_Ban_Notice/pubbanform.htm).
5. See s. 9 of the Act and Rule 85 - Access to Court Records. (There are constitutional limits on how far the court can go with confidentiality orders.)
6. The Act provides an automatic publication ban for minors. See, s. 8. Also, the application may be made by a child's parent or guardian.
7. Subsection 5(2) requires the court to identify the child by pseudonym. An applicant who is a child, and who wishes to go by a pseudonym in the documents that start the proceeding, may deliver a letter to the prothonotary giving the child's true name, proof of age, suggested

pseudonym, address, other contact information, and a proposed method of receiving notice. A judge may direct the use of the pseudonym in the application and how other parties are to give notice to the child.

8. The prothonotary will keep the letter separate from public records, unless a judge directs otherwise.

### **Respondent as Named Party**

9. The Act requires the applicant to name certain respondents. In summary, they are:
  - the alleged distributor or distributors of an intimate image or the alleged cyber-bully,
  - the owner of an electronic device identified as having been used for the distribution or cyber-bullying,
  - the person in control of an internet protocol address used for these purpose,
  - the person responsible for a website, user name, or e-mail address so used,
  - the parent or guardian of any of the above who is a minor,
  - any other person against whom an order is sought, which would include persons from whom the applicant seeks information identifying a source or against whom the applicant requests an order to take down or disable a source,
  - others as the court directs.

See, s. 5.

### **Respondents who are Under age**

10. Section 8 of the Act also protects minor respondents. There is the same publication ban, and the same requirement that the court use a pseudonym.
11. A child who is, or is to be, a respondent, and who wishes to go by a pseudonym in the court documents may deliver a letter to the prothonotary requesting that all court documents, or all future court documents, refer to the child by a pseudonym.
12. The letter must give proof of age, the child's true name, the suggested pseudonym, address, other contact information, and a proposed method of receiving notice. A judge may direct the use of the pseudonym in future, redaction of the child's true name from present court documents, and how other parties are to give notice to the child.

13. The prothonotary will keep the letter separate from public records, unless a judge directs otherwise.

### **Use of Regular Chambers**

14. The judges accept that these applications are to be scheduled by the applicant for regular chambers, notwithstanding Rule 5.05(1). The applicant must take reasonable steps to select a time convenient for each respondent: Rule 5.05(5).

15. The chambers judge will either hear the application there and then, or give directions for preparation for a hearing and set a date. A judge who is satisfied there is an emergency will try to find time for a quick hearing. If evidence supports it, the judge may grant an interim order under s. 6(5) of the Act or Rule 41 - Interlocutory Injunction and Receivership. The interim order will be in place until the hearing or such other time as the court orders.

### **Forms**

16. Attached are forms for

- Intimate Images Application
- Cyber-bullying Application
- Production or Take-down Application
- Affidavit of Service
- Motion to Extend, Vary, or Terminate
- Affidavit
- Notice of Contest
- Order.

These forms were developed with the assistance of the provincial Department of Justice and the Registry of Regulations. They are to assist applicants and respondents who act on their own. Lawyers are free to use these forms, follow *Civil Procedure Rules* Part 22 - Forms, or use their own precedents.

Adopted by the court on June 22, 2018.

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Joseph P. Kennedy  
Chief Justice of the Supreme Court of Nova Scotia

**Intimate Images Application**

20

No.

**Supreme Court of Nova Scotia**

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

**Notice of Application in Chambers**

To: \_\_\_\_\_ [name of respondent or names of respondents]

**Automatic publication ban**

The name of a minor involved in this proceeding, and other information likely to identify the minor, must not be published or broadcast. See, *Intimate Images and Cyber-protection Act*, s. 8.

The court must identify a minor involved in this proceeding by a pseudonym. See, s. 8.

**Requests for other publication ban**

[optional requests for applicant who is not a minor; delete if not applicable]

The applicant requests that

- no person publish or broadcast the applicant’s name or any information likely to identify the applicant. See, *Intimate Images and Cyber-protection Act* s. 9(1).
- the court identify the applicant by a pseudonym. See, s. 9(2).

**Applicant requests an order against you**

The applicant is applying to a judge in chambers for a cyber-protection order

[select all that apply]

1.  declaring that an image is an intimate image;
2.  prohibiting you from distributing the intimate image;

3.  prohibiting you from contact with the applicant or \_\_\_\_\_ [name of other person];
4.  requiring you to take down or disable access to the intimate image;
5.  requiring you to pay damages to the person depicted in the intimate image and account for profits;
6.  referring the matter to dispute-resolution services provided by CyberSCAN or otherwise;
7.  requiring you to pay costs of the proceeding;
8.  \_\_\_\_\_  
[give specifics of other order that is just and reasonable]

The applicant started this application by filing this notice on the date certified by the prothonotary.

**Grounds for order**

The applicant is applying for the order on the following grounds:

[select all that apply]

- 1a.  the applicant is an individual whose intimate image was distributed without consent,  
or
- 1b.  the applicant is a parent or guardian of an individual under the age of nineteen years whose intimate image was distributed without consent;
2.  the distribution of the intimate image is not in the public interest;
3.  the respondent \_\_\_\_\_ [name] distributed the intimate image without consent;
4.  the respondent \_\_\_\_\_ [name] is a parent or guardian of an individual under the age of nineteen years who distributed the intimate image without consent;
5.  the respondent \_\_\_\_\_ [name] is the owner of the electronic device, a person who has been assigned or has control over the use of the Internet Protocol address or the user or person responsible for the website, user name or account, electronic-mail address or other unique identifier, used to distribute the intimate image without consent;
6.  the respondent \_\_\_\_\_ [name] is a parent or guardian of an individual under the age of nineteen who is the owner the electronic device, a person who has

been assigned or has control over the use of the Internet Protocol address or the user or person responsible for the website, user name or account, electronic-mail address or other unique identifier, used to distribute the intimate image without consent.

The applicant brings this application under the *Intimate Images and Cyber-protection Act*, s. 5.

### **Evidence supporting application**

The applicant offers the following affidavits in support of the application:

- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice
- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice

A copy of each affidavit is to be delivered to you with this notice, and further affidavits may be delivered before the deadlines provided in Civil Procedure Rule 5 - Application.

### **You may participate**

You may file with the court a notice of contest, and any affidavits that you will rely on, no more than five days after this notice is delivered to you or you are otherwise notified of the application. Filing the notice of contest entitles you to notice of further steps in the application, including notice of further affidavits.

### **Time, date, and place**

The application is to be heard by the judge in chambers at 9:30 a.m. on \_\_\_\_\_ [month/day], 20\_\_\_\_ in the \_\_\_\_\_ [Courthouse/Law Courts], \_\_\_\_\_ [street address], \_\_\_\_\_ [city, town, or municipality], Nova Scotia. You have the right to be present, and to be represented by counsel, or to act on your own. If you are not present, the judge may proceed without you.

### **Possible order against you**

The judge may grant a final order on the application without further notice to you if you fail to deliver your notice of contest on time, or if you or your counsel fail to appear in chambers at the above time, date, and place.

### **Filing and delivering documents**

Any documents you file with the court must be filed at the office of the prothonotary, at the \_\_\_\_\_ [Courthouse/Law Courts] at \_\_\_\_\_ [street address], Nova Scotia (telephone 902-\_\_\_\_ - \_\_\_\_).

When you file a document you must immediately deliver a copy of it to the applicant and each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

**Contact information**

The applicant designates the following address:

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

Documents delivered to this address are considered received by the applicant. Further contact information is available from the prothonotary.

**Signature**

Signed \_\_\_\_\_ [month/day], 20\_\_\_\_

\_\_\_\_\_  
Signature of applicant

Print name: \_\_\_\_\_

OR

\_\_\_\_\_  
Signature of counsel

\_\_\_\_\_  
[name]

as counsel for \_\_\_\_\_

[name of applicant]

**Prothonotary's certificate**

I certify that this notice of application was filed with the Court on \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Prothonotary

## Cyber-bullying Application

20

No.

### Supreme Court of Nova Scotia

Between:

_____	Applicant
and	
_____	Respondent
	or
_____	Respondents
	[delete one]

### Notice of Application in Chambers

To: \_\_\_\_\_ [name of respondent or names of respondents]

#### Automatic publication ban

The name of a minor involved in this proceeding, and other information likely to identify the minor, must not be published or broadcast. See, *Intimate Images and Cyber-protection Act*, s. 8.

The court must identify a minor involved in this proceeding by a pseudonym. See, s. 8.

#### Applicant requests an order against you

The applicant is applying to a judge in chambers for a cyber-protection order

[select all that apply]

- declaring that a communication is cyber-bullying;
- prohibiting you from making communications that would be cyber-bullying;
- prohibiting you from contact with the applicant or \_\_\_\_\_ [name of other person];
- requiring you to take down or disable access to the communication that is cyber-bullying;
- requiring you to pay damages to the victim of cyber-bullying and account for profits;
- referring the matter to dispute-resolution services provided by CyberSCAN or otherwise;



7.  requiring you to pay costs of the proceeding;

8.  \_\_\_\_\_  
[give specifics of other order that is just and reasonable]

The applicant started this application by filing this notice on the date certified by the prothonotary.

**Grounds for order**

The applicant is applying for the order on the following grounds:

[select all that apply]

1a.  the applicant is a victim of cyber-bullying

or

1b.  the applicant is a parent or guardian of an individual under the age of nineteen who is a victim of cyber-bullying;

2.  the communication is not in the public interest;

3.  the respondent \_\_\_\_\_ [name] engaged in cyber-bullying;

4.  the respondent \_\_\_\_\_ [name] is a parent or guardian of an individual under the age of nineteen who engaged in cyber-bullying;

5.  the respondent \_\_\_\_\_ [name] is the owner of the electronic device, a person who has been assigned or has control over the use of the Internet Protocol address or the user or person responsible for the website, user name or account, electronic-mail address or other unique identifier, used for cyber-bullying;

6.  the respondent \_\_\_\_\_ [name] is a parent or guardian of an individual under the age of nineteen who is the owner the electronic device, a person who has been assigned or has control over the use of the Internet Protocol address or the user or person responsible for the website, user name or account, electronic-mail address or other unique identifier, used for cyber-bullying

The applicant brings this application under the *Intimate Images and Cyber-protection Act*, s. 5.

**Evidence supporting application**

The applicant offers the following affidavits in support of the application:

affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice

affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice

A copy of each affidavit is to be delivered to you with this notice, and further affidavits may be delivered before the deadlines provided in Civil Procedure Rule 5 - Application.

**You may participate**

You may file with the court a notice of contest, and any affidavits that you will rely on, no more than five days after this notice is delivered to you or you are otherwise notified of the application. Filing the notice of contest entitles you to notice of further steps in the application, including notice of further affidavits.

**Time, date, and place**

The application is to be heard by the judge in chambers at 9:30 a.m. on \_\_\_\_\_  
[month/day], 20\_\_\_\_ in the \_\_\_\_\_ [Courthouse/Law Courts], \_\_\_\_\_  
\_\_\_\_\_ [street address], \_\_\_\_\_ [city, town, or  
municipality], Nova Scotia. You have the right to be present, and to be represented by counsel,  
or to act on your own. If you are not present, the judge may proceed without you.

**Possible order against you**

The judge may grant a final order on the application without further notice to you if you fail to deliver your notice of contest on time, or if you or your counsel fail to appear in chambers at the above time, date, and place.

**Filing and delivering documents**

Any documents you file with the court must be filed at the office of the prothonotary, at the  
\_\_\_\_\_ [Courthouse/Law Courts] at \_\_\_\_\_  
[street address], Nova Scotia (telephone 902-\_\_\_\_-\_\_\_\_).

When you file a document you must immediately deliver a copy of it to the applicant and each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

**Contact information**

The applicant designates the following address:

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

Documents delivered to this address are considered received by the applicant. Further contact information is available from the prothonotary.

**Signature**

Signed \_\_\_\_\_ [month/day], 20\_\_\_\_

\_\_\_\_\_  
Signature of applicant  
Print name: \_\_\_\_\_

OR

\_\_\_\_\_  
Signature of counsel  
\_\_\_\_\_  
[name]  
as counsel for \_\_\_\_\_  
[name of applicant]

**Prothonotary's certificate**

I certify that this notice of application was filed with the court on \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Prothonotary

**Production or Take-down Application**

20

No.

**Supreme Court of Nova Scotia**

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

**Notice of Application in Chambers**

To: \_\_\_\_\_ [name of respondent or names of respondents]

**Automatic publication ban**

The name of a minor involved in this proceeding, and other information likely to identify the minor, must not be published or broadcast. See, *Intimate Images and Cyber-protection Act*, s. 8.

The court must identify a minor involved in this proceeding by a pseudonym. See, s. 8.

**Requests for other publication ban**

[delete if not applicable]

The applicant requests that

- no person publish or broadcast the applicant’s name or any information likely to identify the applicant. See, *Intimate Images and Cyber-protection Act*, s. 9(1).
- the court identify the applicant by a pseudonym. See, s. 9(2).

**Applicant requests an order against you**

The applicant is applying to a judge in chambers for a cyber-protection order

[select all that apply]

1.  requiring you to provide to the applicant any information in your possession that may help identify a person who may have used an internet protocol address,

website, electronic user name or account, electronic-mail address or other unique identifier that may have been used to distribute an intimate image without consent or for cyber-bullying;

2.  requiring you to take down or disable access to an intimate image or cyber-bullying communication;
3.  requiring you to pay costs of the proceeding;
4.  \_\_\_\_\_  
[give specifics of other order that is just and reasonable]

The applicant started this application by filing this notice on the date certified by the prothonotary.

### **Grounds for order**

The applicant is applying for the order on the following grounds: [select all that apply]

1.  the applicant is an individual whose intimate image was distributed without consent;
2.  the applicant is a victim of cyber-bullying;
3.  the applicant is a parent or guardian of an individual under the age of nineteen whose intimate image was distributed without consent;
4.  the applicant is a parent or guardian of an individual under the age of nineteen who is a victim of cyber-bullying.

The applicant brings this application under the *Intimate Images and Cyber-protection Act*, s. 5.

### **Evidence supporting application**

The applicant offers the following affidavits in support of the application:

- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice
- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice

A copy of each affidavit is to be delivered to you with this notice, and further affidavits may be delivered before the deadlines provided in Civil Procedure Rule 5 - Application.

### **You may participate**

You may file with the court a notice of contest, and any affidavits that you will rely on, no more than five days after this notice is delivered to you or you are otherwise notified of the application.

Filing the notice of contest entitles you to notice of further steps in the application, including notice of further affidavits.

**Time, date, and place**

The application is to be heard by the judge in chambers at 9:30 a.m. on \_\_\_\_\_ [month/day], 20\_\_\_\_ in the \_\_\_\_\_ [Courthouse/Law Courts], \_\_\_\_\_ [street address], \_\_\_\_\_ [city, town, or municipality], Nova Scotia. You have the right to be present, and to be represented by counsel, or to act on your own. If you are not present, the judge may proceed without you.

**Possible order against you**

The judge may grant a final order on the application without further notice to you if you fail to deliver your notice of contest on time, or if you or your counsel fail to appear in chambers at the above time, date, and place.

**Filing and delivering documents**

Any documents you file with the court must be filed at the office of the prothonotary, at the \_\_\_\_\_ [Courthouse/Law Courts] at \_\_\_\_\_ [street address], Nova Scotia (telephone 902-\_\_\_\_\_-\_\_\_\_\_).

When you file a document you must immediately deliver a copy of it to the applicant and each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

**Contact information**

The applicant designates the following address:

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

Documents delivered to this address are considered received by the applicant. Further contact information is available from the prothonotary.

**Signature**

Signed \_\_\_\_\_ [month/day], 20\_\_\_\_

\_\_\_\_\_  
Signature of applicant  
Print name: \_\_\_\_\_

OR

\_\_\_\_\_  
Signature of counsel

\_\_\_\_\_  
[name]

as counsel for \_\_\_\_\_

[name of applicant]

**Prothonotary's certificate**

I certify that this notice of application was filed with the court on \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Prothonotary

**Affidavit of Service**

20

No.

**Supreme Court of Nova Scotia**

Between:

_____	Applicant
and	
_____	Respondent
	or
_____	Respondents
	[delete one]

**Affidavit of Service for Application**

I, \_\_\_\_\_ [name of person who served], of \_\_\_\_\_ [community], \_\_\_\_\_ make oath and say that/affirm that I did, on \_\_\_\_\_ [date] before the hour of \_\_\_\_\_ [a.m./p.m.], personally deliver a certified copy of a notice of application, the same as the certified copy to which this affidavit is attached, together with other documents bearing the same heading, namely a copy of an affidavit of \_\_\_\_\_ [name] sworn on \_\_\_\_\_, 20\_\_\_\_, a draft order, \_\_\_\_\_ [other], to \_\_\_\_\_ [name of person served]. The delivery took place at \_\_\_\_\_ [community]. I knew the person to be the one to whom delivery was to be made because \_\_\_\_\_ [state how identified person].

[Sworn to/Affirmed] before me )  
 on \_\_\_\_\_, 20 )  
 )  
 )  
 )

\_\_\_\_\_  
 Signature of Authority  
 Print name:  
 Official Capacity:

\_\_\_\_\_  
 Signature of Witness



## **Affidavit of Service**

### **Note for Applicants Acting on Their Own**

A person who is named as a respondent must be notified of the proceeding as soon as possible. The deadline for regular chambers is ten days before the hearing.

The person is notified by handing him or her a copy of the notice of application certified by the court and exact copies of the supporting materials, such as affidavits.

You cannot make the delivery yourself. You need a literate person who is not a party to do it. See Rule 31.04(1).

There are solutions to almost all procedural problems, such as when a respondent cannot be identified or found and when the deadline for service causes serious harm. You need to consult the *Nova Scotia Civil Procedure Rules*, which can be found online at [http://www.courts.ns.ca/Civil\\_Procedure\\_Rules/cpr\\_home.htm](http://www.courts.ns.ca/Civil_Procedure_Rules/cpr_home.htm), or get advice.

The person who makes the delivery for you has to swear an affidavit and you have to file it. The notice of application is an exhibit to the affidavit of service. The other documents referred to in the affidavit are not to be attached.

**Motion to Extend, Vary or, Terminate Cyber-protection Order**

20

No.

**Supreme Court of Nova Scotia**

Between:

\_\_\_\_\_

Applicant

and

\_\_\_\_\_

Respondent

or

\_\_\_\_\_

Respondents

[delete one]

**Notice of Motion**

To: \_\_\_\_\_ [name of other party or parties]

**Motion**

\_\_\_\_\_ [name of person making motion], the \_\_\_\_\_  
[applicant/respondent] in this proceeding, moves for an order to

[select all that apply]

- 1.  extend a cyber-protection order granted on \_\_\_\_\_ [date];
- 2.  vary a cyber-protection order granted on \_\_\_\_\_ [date];
- 3.  terminate a cyber-protection order granted on \_\_\_\_\_ [date].

**Time and place**

The motion is to be heard by a judge on \_\_\_\_\_ [month/day], 20\_\_\_\_, at 9:30  
a.m. in the \_\_\_\_\_ [Courthouse/Law Courts] at \_\_\_\_\_  
\_\_\_\_\_ [street address], \_\_\_\_\_ [city, town, or municipality],  
Nova Scotia. The moving party has set the motion for hearing in a half-hour or less in chambers.  
The moving party says that the motion will not require more time.

**References**

The moving party relies on the following legislation, rules, or points of law:

*Intimate Images and Cyber-protection Act*, subsection 6(6).

**Evidence**

The evidence in support of the motion is as follows:

- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice
- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date] and filed with this notice

**Possible order against you**

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

**Signature**

Signed \_\_\_\_\_ [month/day], 20\_\_\_\_

\_\_\_\_\_  
Signature of moving party  
Print name: \_\_\_\_\_

OR

\_\_\_\_\_  
Signature of counsel  
\_\_\_\_\_  
[name]  
as counsel for \_\_\_\_\_  
[name of moving party]

**Affidavit**

20

No.

**Supreme Court of Nova Scotia**

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

Affidavit of \_\_\_\_\_ [name] [choose one: sworn/affirmed] on \_\_\_\_\_ [date]

I \_\_\_\_\_ [name] [choose one: make oath/affirm] and give evidence as follows:

1. I am \_\_\_\_\_ [name], \_\_\_\_\_ the [state relationship to the proceeding or a party].
2. I have personal knowledge of the evidence \_\_\_\_\_ [sworn to/affirmed] in this affidavit, except where otherwise stated to be based on information and belief,
3. I state, in this affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief of the source.

[Confine affidavit to the facts, do not state any opinion, plea, view, or submission. Use concise sentences divided by numbered paragraphs]

- 4.
- 5.
- 6.

[*Sworn to/Affirmed*] before me )  
on \_\_\_\_\_, 20\_\_ )  
at \_\_\_\_\_ )  
 )  
\_\_\_\_\_)  
Signature of Authority )  
Print name: )  
Official capacity: )

\_\_\_\_\_)  
Signature of:

**Notice of Contest**

20

No.

**Supreme Court of Nova Scotia**

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

**Notice of Contest  
(Chambers Application)**

To: \_\_\_\_\_ [name of applicant]

**Your application is contested**

The respondent, \_\_\_\_\_ [name] contests your application.

The respondent admits the facts stated in your grounds numbered: [state numbers of relevant grounds as listed in the notice of application] \_\_\_\_\_

The respondent denies the rest of your statement of grounds, but may admit the following after you provide more information: [describe] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Grounds of contest**

The respondent says that your application should be \_\_\_\_\_ [dismissed/allowed only to the extent of \_\_\_\_\_] because:

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

[Briefly state the respondent’s grounds in point form; include material facts and references to legislation and points of law; do not state evidence or provide argument.]

**Evidence of respondent**

The respondent offers the following evidence:

- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date]
- affidavit of \_\_\_\_\_ [name] \_\_\_\_\_ [sworn/affirmed]  
on \_\_\_\_\_ [date]

**Contact information**

The respondent designates the following address:

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

Documents delivered to this address are considered received by the respondent on delivery.  
Further contact information is available from the prothonotary.

**Signature**

Signed \_\_\_\_\_ [month/day], 20 \_\_\_\_

\_\_\_\_\_  
Signature of respondent

Print name: \_\_\_\_\_

OR

\_\_\_\_\_  
Signature of counsel

\_\_\_\_\_  
[name]

as counsel for the respondent [name]

**Order to Extend, Vary or, Terminate a Cyber-protection Order**

20

No.

**Supreme Court of Nova Scotia**

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

**Order**

Before the Honourable Justice \_\_\_\_\_ in chambers

On the motion of \_\_\_\_\_ [name of moving party], the following is ordered:

[delete all that do not apply]

1. The cyber-protection order granted on \_\_\_\_\_ [date] is terminated.
2. The cyber-protection order granted on \_\_\_\_\_ [date] is extended to \_\_\_\_\_ [date].
3. The cyber-protection order granted on \_\_\_\_\_ [date] is varied as follows:  
[describe variance]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Issued \_\_\_\_\_ [month/day], 20\_\_\_\_.

\_\_\_\_\_

Prothonotary