

PRACTICE DIRECTION

COURT OF QUEEN'S BENCH OF MANITOBA

RE: MOTIONS TO STRIKE WITH ALTERNATIVE CLAIM FOR SUMMARY JUDGMENT FILED BEFORE A JUDGE

Where a notice of motion includes a motion to strike a pleading or, in the alternative, an order for summary judgment, a party will be required to proceed with the motion to strike before a master at first instance and will not be permitted to proceed with this motion at first instance before a judge. If there is an appeal of a master's order on a motion to strike and it is appropriate that the pending summary judgment motion proceed at the same time, that summary judgment motion may be heard by a judge concurrently with the appeal from the master's order respecting the motion to strike.

Coming into effect

This Practice Direction comes into effect immediately.

ISSUED BY:

"Original signed by Chief Justice Joyal"

**The Honourable Chief Justice Glenn D. Joyal
Court of Queen's Bench (Manitoba)**

DATE: December 7, 2015