

## **PRACTICE DIRECTION**

### **COURT OF QUEEN'S BENCH OF MANITOBA**

#### **RE: RULE 19.05(1) AND RULE 20A: MOTION FOR JUDGMENT WHERE DEFENDANT HAS BEEN FOUND IN DEFAULT IN AN EXPEDITED ACTION**

To respect the expedited nature of Rule 20A actions, while also reflecting the role of a case conference judge under Rule 20A(10) to essentially hear all motions, the following procedure shall apply to those cases where default has been noted and the plaintiff is moving for judgment:

1. Where a defendant is noted in default (but default judgment has not been granted), the plaintiff shall move for judgment within three months of noting the defendant in default.
2. Despite Rule 20A(10), the motion for judgment shall be brought on the civil uncontested motions list, without the necessity of a case conference.
3. If the motion for judgment is **unopposed**, it is open to the motions list judge to grant final judgment.
4. If the motion for judgment is **opposed**, the parties will be required to obtain leave from the motions list judge to schedule a case conference and, if granted, obtain from the Trial Coordinator a date for a case conference with a case conference judge.

#### **Coming into effect**

This Practice Direction comes into effect immediately.

#### **ISSUED BY:**

*"Original signed by Chief Justice Joyal"*

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

**DATE: May 27, 2015**