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| **COURT OF APPEAL FOR BRITISH COLUMBIA** |

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| **FORM 3** | **NOTICE OF CROSS APPEAL *(RULE 9(a) )*** |

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|  | Court of Appeal File No. | The file number can be found on the upper right corner of the Notice of Appeal. |
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| **PARTIES TO THE APPEAL** | | | |
| **Appellant(s)** *List the name(s) of the appellant(s) named on  Form 1: Notice of Appeal.* | |  | | --- | |  | | | |
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| **Respondent(s)** *List the name(s) of the respondent(s) named on  Form 1: Notice of Appeal.* | |  | | --- | |  | | | |
| **To the appellant(s) and any respondent(s) not cross appealing the order under appeal:**  A court proceeding has been commenced against you in the Court of Appeal. See the final page of this form for details on how to respond. | | | |

**Name(s) of party(ies) who wish(es) to cross appeal the order under appeal**

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1. **THE ORDER IN THE APPEAL YOU ARE CROSS APPEALING**

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| **Is leave to cross appeal required?**  *Court of Appeal Rule 12 explains when you need leave to cross appeal. If you are unsure, check “Yes.”* | |  |  | | --- | --- | | Yes | No | |

**Who made the order?**

*Name the justice or other decision maker who pronounced the order in the appeal you are cross appealing.*

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| **Date the order was pronounced**  *Include the day, month and year that the order in the appeal you are cross appealing was pronounced.* | *DD/MM/YYYY* |

1. **RELIEF SOUGHT**

If leave to cross appeal is not required, fill out Part A. If you are seeking leave to cross appeal, fill out Part B.

**Order(s) you are seeking on cross appeal**

*Briefly list the order(s) you will ask this court to make on cross appeal. For example: “Set aside the trial judgment and order a new trial.” Include any order as to costs.*

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| **PART A: LEAVE NOT REQUIRED** | |
| **Part of the order being cross appealed**  *If you only want to cross appeal one part of an order, enter the part that is being cross appealed.* |  |
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| **PART B: SEEKING LEAVE TO APPEAL** | |
| **Part of the order being cross appealed**  *If you are only seeking leave to cross appeal one part of an order, enter the part that you are seeking leave to cross appeal.* |  |
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| **Grounds for leave to cross appeal**  *Be as specific as possible. For example, if you believe the trial judge used an incorrect legal test or otherwise misapplied the law, indicate that here.* |  |

1. **SERVICE**

**Name(s) and address(es) within BC for service of party(ies) filing cross appeal**

*If you have a lawyer, include the law firm’s address; otherwise provide your own residential address*.

**Are you representing yourself?**

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| **Phone number(s) of party(ies) filing cross appeal** |  |

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| **Email address(es) for service of**  **party(ies) filing cross appeal**  *If you provide an email address, you consent to have documents served on you by email.* |  |

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| Date form completed | Name of lawyer or party authorizing filing of this form    *DD/MM/YYYY* |  |  |

**If you intend to participate** in this cross appeal and you have not already filed a Notice of Appearance in this matter in a Court of Appeal registry, **you must give notice** of your intention to participate by filing a form entitled “Notice of Appearance” (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the Notice of Appearance on the other parties to the appeal and cross appeal **not more than 10 days** after receiving this Notice of Cross Appeal.