

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

JANE BEATRICE DOE

PLAINTIFF

AND:

JOHN LUTHOR DOE

DEFENDANT

OUTLINE

Part 1

The following relief will be sought at the hearing:

1. a Declaration that the parties are unable to reconcile with one another, pursuant to s. 57 of the *Family Relations Act*;
2. an Order that the Plaintiff be restrained from disposing of or encumbering, or attempting to dispose of or encumber, the family assets and other assets at issue; and,
3. an Order that the Defendant have exclusive use and occupancy of the family home at 456 King Street in Vancouver, British Columbia; and,
4. costs.

Part 2

Basis for seeking relief:

5. The parties were married in January of 1995, after having lived together for the previous year. The parties separated on December 1st, 2002.
6. The parties separated on December 1st, 2002, when the Plaintiff left the family home at 456 King Street in Vancouver, British Columbia. The Defendant remained living in the family home.

**THIS DOCUMENT IS A SAMPLE DOCUMENT AND IS INTENDED ONLY AS A GENERAL GUIDE.
IT MAY NOT CONTAIN INFORMATION RELEVANT TO YOUR SITUATION.
IT SHOULD NOT BE USED AS A PRECEDENT FOR DRAFTING YOUR OWN DOCUMENT.**

7. The Plaintiff started this action on January 1st, 2003, when she filed her Writ of Summons and Statement of Claim.
8. The Defendant is concerned that the Plaintiff may dispose of the family assets in her control, as she has already removed \$5,000 from the parties' joint bank account without the consent of the Defendant, and has threatened to take more.
9. The Defendant also believes that the Plaintiff is considering going into bankruptcy as she owes a significant amount of debt to various credit cards and lines of credit, and has recently lost her job.
10. The Defendant therefore seeks a Declaration that the parties have no prospect of reconciliation, pursuant to s. 57 of the *Family Relations Act*, in order to protect his interest in the family assets which might transfer to the Plaintiff's trustee in bankruptcy, and a financial restraining Order pursuant to s. 67 to preserve the family assets from further waste by the Plaintiff.
11. The Defendant also seeks an Order that he have exclusive occupancy of the family home as the Plaintiff has threatened to come back to the family home and change the locks while the Defendant is at work.

Dated: April 10th, 2003

John Doe

JOHN LUTHOR DOE
The Defendant