

Court File No: **E101234**  
Court Registry: **Vancouver**

## **In the Supreme Court of British Columbia**

Claimant:

**JANE BEATRICE DOE**

Respondent:

**JOHN LUTHOR DOE**

### **APPLICATION RESPONSE**

**Application Response of Jane Beatrice Doe** (the “application respondent(s)”)

THIS IS A RESPONSE TO the Notice of Application of **John Luthor Doe**, filed on **1 September 2010**.

#### **Part 1: Orders Consented To**

The application respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the Notice of Application on the following terms:

1. Paragraph 1.
2. Paragraph 2, on the conditions that the restraining order be made against both the Applicant and I and that it provide that the Applicant and I are each able to meet our ordinary day to day living expenses.

#### **Part 2: Orders Opposed**

The application respondent opposes the granting of the orders set out in paragraphs **3 and 4** of Part 1 of the Notice of Application.

#### **Part 3: Orders on which No Position is Taken**

The application respondent takes no position on the granting of the orders set out in paragraphs \_\_\_\_\_ of Part 1 of the Notice of Application.

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#### Part 4: Factual Basis

1. The Applicant has only seen the children once every month since our separation, although I have offered him time with the children whenever he wishes. This may be because of the hours the Applicant keeps at work, which are very lengthy and often include weekends.
2. Although my parents do live about five blocks away, they live in a one-bedroom rancher and there is no room for the children and I and their home is on the other side of a busy eight-lane highway from the children's school. The children and I have nowhere else to live apart from the family home and since the Applicant doesn't have the time to care for the children, they must continue to live with me.

#### Part 5: Legal Basis

1. The balance of convenience favours my continued occupation with the children in the family home.
2. I will rely on Rules 10-6 and 16-1 of the Supreme Court Family Rules and s. 124 of the *Family Relations Act*.

#### Part 6: Material to be Relied Upon

1. Affidavit #1 of Jane Beatrice Doe, made on 15 September 2010.

The application respondent estimates that the application will take 15 minutes.

- The application respondent has filed in this family law case a document that contains the application respondent's address for service.
- The application respondent has not filed in this family law case a document that contains the application respondent's address for service. The application respondent's ADDRESS FOR SERVICE is:

Date: 15 September 2010

Jane Doe

Signature of

application respondent

lawyer for application respondent

Jane Beatrice Doe

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