

FORM 45A

Rule 45.04(2)

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE

[DIVISION]

[LIST]

No. *[proceeding no.]*

B E T W E E N

Plaintiff

-and-

Defendant

SUMMONS ON ORIGINATING MOTION – PROCEEDINGS AFTER APPEARANCE

Date of Document:

Solicitors Code:

Filed on behalf of:

DX:

Prepared by:

Telephone:

Ref:

Email:

To: *[identify each party or other person to whom summons is addressed and state address of each person not a party.]*

You are summoned to attend before the Court on the hearing of an application by the plaintiff for judgment in respect of the relief or remedy sought in the originating motion as follows: *[describe the judgment or relief or remedy sought]*.

The application will be heard by an Associate Judge in Court No....., Supreme Court, 436 Lonsdale Street, Melbourne on *[insert date]* at a.m. *[or p.m.]* or so soon afterwards as the business of the Court allows.

The Associate Judge may, as appropriate—

- (a) where he or she has authority to give the judgment sought by the plaintiff, hear and determine the application or refer it to another Associate Judge for hearing and determination;
- (b) by consent of the defendant, give the judgment;
- (c) refer the application to a Judge of the Court for hearing and determination;
- (d) place the proceeding in the list of cases for trial and give directions for the filing and service of affidavits or otherwise.

FILED [*insert date*]

This summons was filed by.....of, solicitor for the Plaintiff.