

Form 27.03A  
(rule 27.03)

File number: 20\_\_\_\_\_ G \_\_\_\_\_

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
GENERAL DIVISION

BETWEEN:

*(Plaintiff's name)*

PLAINTIFF

AND:

*(Defendant's name)*

DEFENDANT

*(Modify title of proceeding as necessary.)*

**Applicant's Bond for Recovery Order**

**WHEREAS** the applicant, A.B., seeks to obtain a recovery order herein against C.D., to recover the property described in the schedule;

**NOW KNOW ALL PERSONS** by these presents that I, A.B., as applicant, (and M.N. and O.P. as sureties) (upon the applicant depositing with the Court at *(insert city/town)*, Newfoundland and Labrador, the money or securities listed below as security hereunder) firmly (bind myself), (jointly and severally bind ourselves) to C.D., his or her heirs, executors or assigns, to pay to him, her, or them the penal sum of \$*(insert dollar amount)* upon breach of the following conditions, namely that the applicant shall,

- (a) on the delivery of the property to the applicant, or the filing of a bond under rule 27.06 of the *Rules of the Supreme Court, 1986* obtain, without delay, an order settling who is entitled to the ownership or possession of the property;
- (b) return the property to the party or person from whom it was taken if the applicant fails without delay to obtain the order referred to in paragraph (a), or the Court so orders; and
- (c) pay such damages and costs awarded by the Court against the applicant as a result of the issue of the recovery order;

and upon the applicant fulfilling these conditions, or if the sheriff fails to recover any part of the property sought to be recovered herein and deliver the same to the applicant, this bond shall be void, but unless the Court otherwise orders, it shall remain in full force and effect.

This bond shall enure to the benefit of and be binding upon the parties hereto, their and each of their executors, administrators, successors and assigns.

**DATED** at \_\_\_\_\_, Newfoundland and Labrador, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**SIGNED, SEALED AND DELIVERED** \_\_\_\_\_ In the presence of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Schedule**

*(insert a description of the property sufficiently to identify it)*

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**BETWEEN:**

*(Plaintiff's name)*

**PLAINTIFF**

**AND:**

*(Defendant's name)*

**DEFENDANT**

*(Modify title of proceeding as necessary.)*

I, \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_ make oath (or affirm) and say that I was present and did see the within bond duly executed by the parties named therein, and that the name \_\_\_\_\_ set and subscribed as a witness thereto, is of the proper handwriting of me, this deponent, and that the same was executed at \_\_\_\_\_.

**SWORN/AFFIRMED** at \_\_\_\_\_ (city/town), \_\_\_\_\_ (province or, if outside of Canada, country), on the \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ (year), before me

\_\_\_\_\_  
*(signature)*  
Commissioner, notary public, etc.

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IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
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BETWEEN:

*(Plaintiff's name)*

PLAINTIFF

AND:

*(Defendant's name)*

DEFENDANT

*(Modify title of proceeding as necessary.)*

We, M.N. and O.P. \_\_\_\_\_ of \_\_\_\_\_ in the  
Province of \_\_\_\_\_ and \_\_\_\_\_ of  
\_\_\_\_\_ in the Province of \_\_\_\_\_, severally  
make oath (or affirm) and say:

That we are the proposed sureties on behalf of A.B. \_\_\_\_\_ the applicant  
named in the foregoing bond; and I the said M.N. \_\_\_\_\_ for myself  
make oath (or affirm) and say that I am worth property to the amount of \$\_\_\_\_\_,  
over and above all encumbrances, and over and above what will pay my debts, and  
every other sum for which I am now bail, or for which I am liable as surety or endorser,  
or otherwise; and I the said O.P. \_\_\_\_\_ for myself make oath (or affirm)  
and say that I am worth property to the amount of \_\_\_\_\_ dollars over and  
above what will pay my debts, and every other sum for which I am now bail, or for which  
I am liable as surety or endorser, or otherwise.

The above named \_\_\_\_\_, and \_\_\_\_\_ were  
severally sworn (or affirmed) before me at \_\_\_\_\_ (city/town),  
\_\_\_\_\_ (province or, if outside of Canada, country), on the \_\_\_\_\_  
(day) of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
(signature)

Commissioner, notary public, etc.