

FORM 64Q
NOTICE TO ADDED DEFENDANT HAVING INTEREST IN
EQUITY

(Court file no.)

SUPREME COURT OF PRINCE EDWARD ISLAND
TRIAL DIVISION

BETWEEN:

(name)

Plaintiff

and

(name(s))

Defendant(s)

and

(name(s))

Defendant(s)
added on the reference

NOTICE TO ADDED DEFENDANT

An action has been commenced by the plaintiff for the foreclosure (*or sale*) of the mortgaged property described in the attached schedule. I have been directed by the judgment in this action dated (*date*) (*where the judgment is for sale, insert: to conduct a sale of the property and*) to inquire whether any person other than the plaintiff has a lien, charge or encumbrance on the property subsequent to the plaintiff's claim or whether any other person has an interest in the property. It appears that you may have an interest in the property. I have therefore added you as a defendant in this action. A copy of my order and the judgment in the action are attached to this notice.

If you wish to set aside or vary my order adding you as a defendant or the judgment in this action, you must make a motion to the court within ten days after service on you of this notice (*or where the defendant is to be served outside Prince Edward Island, such further time as the referee directs*). If you fail to do so, you will be bound by the judgment and the subsequent steps in this action.

IF YOU WISH AN OPPORTUNITY TO REDEEM the property, you are required to appear before me, either in person or by a Prince Edward Island lawyer acting for you, on (*day*), (*date*), at (*time*), at (*address*).

IF YOU FAIL TO ATTEND at the time and place set out above, you may be deemed to submit to an immediate foreclosure of your interest (*or an immediate sale of the property*) and the action may proceed in your absence and without further notice to you.

(Date)

(Signature of referee)

TO: *(Names and addresses of defendants
added on reference who appear to
be interested in equity of redemption)*

*(The description of the mortgaged property in the attached schedule must be the
same as in the statement of claim.)*