

FORM 171I - Rule 171

**THIRD PARTY CLAIM
AGAINST PERSON NOT ALREADY PARTY TO THE ACTION**

FEDERAL COURT

BETWEEN:

Plaintiff

and

Defendant

and

Third Party

(Refer to the requirements of Rules 193 and 194 of the Federal Courts Rules to determine whether third party claim may be issued without first obtaining leave of the Court.)

THIRD PARTY CLAIM

TO THE THIRD PARTY:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by way of a third party claim in an action in this Court.

The action was commenced by the plaintiff against the defendant for the relief claimed in the statement of claim served with this third party claim. The defendant has defended the action on the grounds set out in the statement of defence served with this third party claim. The defendant's claim against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS THIRD PARTY CLAIM, you or a solicitor acting for you are required to prepare a statement of defence in Form 171J prescribed by the Federal Courts Rules serve it on the solicitors for the other parties, or, where a party does not have a solicitor, serve it on the party, and file it, with proof of service, at a local office of this Court, WITHIN THIRTY DAYS after this third party claim is served on you, if you are served within Canada.

If you are served in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period for serving and filing your statement of defence is sixty days.

YOU MAY ALSO DEFEND the action by the plaintiff against the defendant by serving and filing a statement of defence in Form 171B prescribed by the Federal Courts Rules within the time for serving and filing your third party defence.

Copies of the Federal Courts Rules information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

Issued by: _____

Address of local office: _____

TO:

CLAIM

1. The defendant claims against the third party:

(_____)