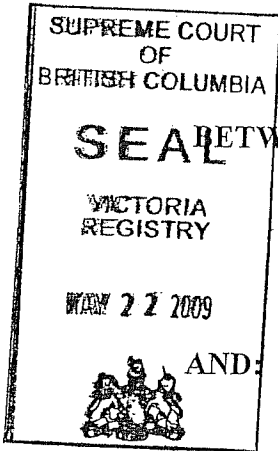


09 2227

No.
Victoria Registry



IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

KAYLA CHRISTINE CHEEKE

PLAINTIFF

AND:

UNIVERSITY OF VICTORIA

DEFENDANT

BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996 C. 50

WRIT OF SUMMONS

[Name and address of each plaintiff]

Kayla Christine Cheeke

77 View Royal Avenue
Victoria, British Columbia
V9B 1A6

[Name and address of each defendant]

University of Victoria

PO Box 1700, STN CSC
Victoria, British Columbia
V8W 2Y2

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada, and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

TO the defendant: University of Victoria

TAKE NOTICE that this action has been commenced against you by the plaintiff(s) for the claim set out in this writ.

IF YOU INTEND TO DEFEND this action, or if you have a set-off or counterclaim that you wish to have taken into account at the trial, YOU MUST

- (a) GIVE NOTICE of your intention by filing a form entitled "Appearance" in the above registry of this court, at the address shown below, within the Time for Appearance

provided for below and YOU MUST ALSO DELIVER a copy of the "Appearance" to the plaintiff's address for delivery, which is set out in this writ, and

- (b) if a statement of claim is provided with this writ of summons or is later served on or delivered to you, FILE a Statement of Defence in the above registry of this court within the Time for Defence provided for below and DELIVER a copy of the Statement of Defence to the plaintiff's address for delivery.

YOU OR YOUR SOLICITOR may file the Appearance and the Statement of Defence. You may obtain a form of Appearance at the registry.

JUDGMENT MAY BE TAKEN AGAINST YOU IF

- (a) YOU FAIL to file the Appearance within the Time for Appearance provided for below,
or
- (b) YOU FAIL to file the Statement of Defence within the Time for Defence provided for below.

TIME FOR APPEARANCE

If this writ is served on a person in British Columbia, the time for appearance by that person is 7 days from the service (not including the day of service).

If this writ is served on a person outside British Columbia, the time for appearance by that person, after service, is 21 days in the case of a person residing anywhere within Canada, 28 days in the case of a person residing in the United States of America, and 42 days in the case of a person residing elsewhere.

[or, if the time for appearance has been set by order of the court, within that time.]

TIME FOR DEFENCE

A Statement of Defence must be filed and delivered to the plaintiff within 14 days after the later of

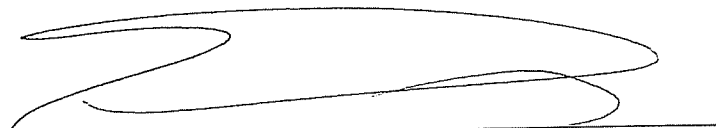
- (a) the time that the Statement of Claim is served on you (whether with this writ of summons or otherwise) or is delivered to you in accordance with the Rules of Court, and
- (b) the end of the Time of Appearance provided for above.

[or, if the time for appearance has been set by order of the court, within that time.]

(1) The address of the registry is: Court Registry P.O. Box 9248 STN Prov. Govt. 850 Burdett Avenue Victoria, B.C. V8W 1B4
(2) The defendant's ADDRESS FOR DELIVERY is: PO Box 1700, STN CSC Victoria, British Columbia V8W 2Y2 Fax number for delivery (if any): <i>[number]</i>
(3) The name and office address of the plaintiff's solicitor is: Erik Y. Magraken MacIsaac and Company Barristers and Solicitors 3rd Floor, 1117 Wharf Street Victoria, B.C. V8W 1T7

The Plaintiff's claim is set out in the attached Statement of Claim.

DATED at the City of Victoria, in the Province of British Columbia, this 14th day of April, 2009.


Solicitor for the Plaintiff

THIS WRIT OF SUMMONS is filed and delivered by ERIK Y. MAGRAKEN, of the law firm of MacIsaac and Company, whose place of business and address for delivery is 3rd Floor, 1117 Wharf Street, Victoria, BC V8W 1T7