Form 23 Alberta Rules of Court Rules 4.36(4), 4.36(1) and 13.41(2)

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COURT FILE NO. 2201-07664

COURT Court of King's Bench of Alberta

JUDICIAL CENTRE Calgary

PLAINTIFF(S) JASON HORVATH AND JAMES BRAD MCDONALD

DEFENDANT(S) HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF

ALBERTA, CITY OF CALGARY (CALGARY FIRE DEPARTMENT)

DOCUMENT Discontinuance of Claim

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LEIGHTON B.U. GREY, K.C.

FILE NO. CST-45

The plaintiff(s) discontinue(s) the action (the parts of the action described below) against the defendant(s)

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF ALBERTA, CITY OF CALGARY (CALGARY FIRE DEPARTMENT)

NOTE

If you discontinue the action/part of the action, the other party is entitled to costs unless the other party consents to a discontinuance without costs (Rule 4.36(4)).

NOTE

The discontinuance of the action/part of the action may not be raised as a defence to any subsequent action for the same or substantially the same claim (Rule 4.36(5)).

CTS3793 Rev. 2010-11