

**Suspension Period and Standstill Agreement
[Rule 4.33]**

PLAINTIFF(S)

DEFENDANT(S)

DOCUMENT

SUSPENSION PERIOD AND STANDSTILL AGREEMENT

ADDRESS FOR SERVICE AND CONTACT

XX

INFORMATION OF PARTY PREPARING THIS DOCUMENT

Tel:
Fax:
File:

THIS SUSPENSION PERIOD AND STANDSTILL AGREEMENT (“Agreement”) relates to a claim for _____ brought by XXX (the “**Claim**”) in the within Action (the “**Action**”).

IN CONSIDERATION OF the mutual covenants and the agreements contained herein, it is agreed that:

1. This Agreement constitutes a Suspension Period Agreement as contemplated by Rule 4.33 (1) (c) and (5) of the Alberta *Rules of Court*, as well as a Standstill Agreement with respect to all other limitations, timelines and deadlines in the *Limitations Act*, RSA 2000, c. L-12, the *Rules of Court* or otherwise applicable to the Claim, all effective _____ day of _____, 20**.
2. This Agreement, and the Suspension Period and Standstill agreed herein, ends:
 - a. ***Insert specific date, or
 - b. ***insert the happening of a specific event
3. The parties entering into this Agreement, or those people signing on behalf of the parties entering into this Agreement, have full authority to make these decisions and bind the parties to this Agreement.

IN WITNESS WHEREOF the Parties have signed this Agreement through their duly authorized officers as of the effective date. **THIS AGREEMENT** is dated effective as of the _____ day of xx, xxxx.

XX

XX

Per:

Per:

Drafting Notes:

1. Note that this is only an example and may not be suitable for your purposes. It is provided for general information purposes only and does not constitute legal or other professional advice or an opinion of any kind. Legal advice should always be obtained before adopting any template, including this one.
2. This document is drafted as both a Suspension Period and a Standstill Agreement.
3. A Suspension Period Agreement is contemplated in Rule 4.33 (the three-year “drop dead” rule), but it is prudent to also enter into a Standstill with respect to other timelines (for example, the overall long delay rule found in Rule 4.31).
4. A Suspension Period Agreement must have a specific ending date, or it must end on the happening of a specific event (see Rule 4.33 (c)), and this document is drafted with that in mind.
5. If a Suspension Period is agreed upon, then all other parties to the action must be given written notice setting forth what the suspension period is, when it was agreed to, and by whom (see Rule 4.33 (8)).
6. In the absence of an agreement, an application can be made to the Court for an Order setting out a suspension period (see Rule 4.33 (9)).
7. This document is drafted on the assumption that the parties will sign it, but it is also common practice for properly instructed counsel to sign these kinds of agreements on behalf of their clients.