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TABLE 3

DIFFERENCES OF BONDS IN PROVISIONAL REMEDIES

PROVISIONAL REMEDY

WHETHER REQUIRED

AMOUNT

UNDERTAKINGS UNDER THE COUNTERBOND

1. Preliminary attachment

Required

Discretionary with the court but not exceeding the applicant's claim

To pay:

1. All costs which may be adjudged to the adverse party; and
2. All damages which the adverse party may sustain by reason of the attachment if the court shall finally adjudge that the applicant was not entitled thereto

2. Preliminary injunction

Required

Discretionary with the court

To pay all damages which the adverse party may sustain by reason of the injunction if the court shall finally decide that the applicant was not entitled thereto

3. Temporary Restraining Order (TRO)

Required but the court may exempt

When required, discretionary with the court

To pay all damages which the adverse party may sustain by reason of the injunction, if the court shall finally decide that the applicant was not entitled thereto

4. Receivership

Required

Discretionary with the court

To pay damages the adverse party may sustain by reason of the appointment of a receiver in case the applicant shall have procured such appointment without sufficient cause

5. Replevin

Required

Double the value of the property

- a. For the return of the property or its value to the adverse party if such be adjudged; and
- b. To pay to defendant such damages as he may recover from the applicant in the action

6. Support pendente lite

Not required

Not applicable

Not applicable

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