

## AFFIDAVIT OF ELIZABETH SMITH 15 JANUARY 20XX

### COURT DETAILS

Court	Local Court of NSW
#Division	
#List	
Registry	Waverley
Case number	20XX/000000001

### TITLE OF PROCEEDINGS

Applicant	Elizabeth Smith
Defendant	Gary Smith
#Second defendant #Number of defendants (if more than two)	

### FILING DETAILS

Filed for	Elizabeth Smith, Applicant
#Filed in relation to	20XX/000000001
#Legal representative	
#Legal representative reference	
Contact name and telephone	Elizabeth Smith Ph: 0422 XXX XXX
Contact email	elizabeth@fmail.com.au

[on separate page]

## AFFIDAVIT

Name Elizabeth Smith  
Address 12/100 Victoria Road, Double Bay NSW 2028  
Occupation Nurse  
Date 15 January 20XX

I say on oath:

- 1 I am the Applicant in this matter.
- 2 This matter is listed for hearing on 20 January 20XX.
- 3 On 14 January 20XX, I filed a subpoena for production for PhonePlus Pty Ltd with Waverley Local Court. This was granted but the last date of service to comply was listed for 12 January 20XX. Attached and marked "A" is a copy of that subpoena
- 4 I would request that short service of the subpoena be granted as the evidence contained in that material is relevant to the applicant's case and is also referred to in the statement of the Defendant dated 1 October 20XX.
- 5 I believe it is in the interests of justice that the subpoena be listed for short service as the material contained therein, if not obtained, would prejudice the applicant's case.
- 6 I request the court make the orders sought in the Summons.

SWORN at Sydney

Signature of deponent E. Smith

Name of witness Sam Lim

Address of witness 536 Bridge Street, Sydney NSW 2000

Capacity of witness Justice of the peace

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1 I saw the face of the deponent.

~~#I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.<sup>1</sup>~~

2 ~~#I have known the deponent for at least 12 months.~~

I have confirmed the deponent's identity using the following identification document:

Driver's Licence

Identification document relied on (may be original or certified copy)<sup>2</sup>

Signature of witness S. Lim

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.

---

[<sup>1</sup> The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

[<sup>2</sup> "Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see [Oaths Regulation 2011](#) or refer to the guidelines in the NSW Department of Attorney General and Justice's "[Justices of the Peace Handbook](#)" section 2.3 "Witnessing an affidavit" at the following address: <http://www.jp.nsw.gov.au/Documents/jp%20handbook%202014.pdf> ]