

## **NOTICE OF MOTION EXAMINATION ORDER**

### **COURT DETAILS**

Court	Local Court
Division	Small Claims Division
Registry	Blacktown
Case number	SC20xx/766

### **TITLE OF PROCEEDINGS**

Plaintiff	<b>Meena Vishwana</b>
Defendant	<b>Fiona Frame trading as Fantastic Florists</b>

### **JUDGMENT DETAILS**

Date of judgment to be enforced	22 January 20xx
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### **FILING DETAILS**

Person seeking orders	<b>Meena Vishwana, plaintiff (judgment creditor)</b>
Contact name and telephone	Meena Vishwana 02 2222 1111
Contact email	Meena.vishwana@chillmail.com

### **PERSON AFFECTED BY ORDERS SOUGHT**

**Fiona Frame, defendant, judgment debtor**

### **HEARING DETAILS**

This motion is to be dealt with in the absence of the parties.

[on separate page]

## ORDERS SOUGHT

- 1 Fiona Frame attend court to be examined as to whether any and, if so, what debts are owing to her and whether she has any and, if so, what other property or other means of satisfying the judgment.
- 2 Fiona Frame produce the following documents:
  - All bank passbooks, bank statements, cheque books, cheque butts and other documents from all bank accounts held by the judgment debtor for the period November 20xx to January 20xx
  - Evidence of ownership of any real property or motor vehicles owned by the judgment debtor
  - The judgment debtor's income tax assessment for the financial year ending June 20xx
  - The judgment debtor's 4 most recent payslips

## SIGNATURE

Signature of or on behalf of party **Meena Vishwana**  
if not legally represented

Capacity Plaintiff

Date of signature 25 February 20xx

[on separate page]

## AFFIDAVIT

Name Meena Vishwana  
Address Unit 12, 32 Campbell Street, Blacktown NSW 2148  
Occupation IT Consultant  
Date 25 February 20xx

I affirm:

- 1 I am the judgment creditor (plaintiff).
- 2 No payments have been made to reduce the judgment debt.
- 3 The amount outstanding on the judgment (including any prior enforcement costs but excluding interest after judgment under section 101 of the *Civil Procedure Act 2005*) as at the date of this affidavit is \$4,182.10.
- 4 Interest payable under section 101 of the Civil Procedure Act 2005 is \$29.22.
- 5 The amounts claimed for costs for the issue of this order are:

Filing fees	\$92.00
Service fees	\$70.00
Solicitors fees	\$0.00
TOTAL	\$162.00
- 6 An examination notice was served on the judgment debtor on 25 January 20xx.
- 7 The judgment debtor has not completed and returned the examination notice
- 8 The judgment debtor has failed to produce any or sufficient documents for inspection by the creditor.
- 9 The judgment debtor has not, within the previous 3 months, provided any or sufficient answers, or produced any or sufficient documents in response to any previous examination notice.
- 10 The judgment debtor lives or works at a location within 30 kilometres of the registry at which judgment was entered.
- 11 The judgment debt is not stayed by an order of the court or by an instalment order.

AFFIRMED at Parramatta  
Signature of deponent **Meena Vishwana**  
Name of witness George Fisher  
Address of witness 2/32 Campbell Street Blacktown 2148  
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. [OR, delete whichever option is inapplicable]  
~~#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.\*~~
- 2 ~~#I have known the deponent for at least 12 months.~~ [OR, delete whichever option is inapplicable]  
#I have confirmed the deponent's identity using the following identification document:

Medicare card

Identification document relied on (may be original or certified copy) †

Signature of witness **George Fisher**

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

[\* The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

[† "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.]

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