

NOTICE OF MOTION GARNISHEE ORDER

COURT DETAILS

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

TITLE OF PROCEEDINGS

plaintiff	Meena Vishwana
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defendant	Fiona Frame trading as Fantastic Florists
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JUDGMENT DETAILS

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

Person seeking orders	Meena Vishwana, plaintiff (judgment creditor)
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**)
Commonwealth Bank of Australia (**proposed garnishee**)

HEARING DETAILS

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

[on separate page]

ORDERS SOUGHT

- 1 A garnishee order against the Commonwealth Bank of Australia for debts in the amount of \$4,216.47.

SIGNATURE

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

Capacity Judgment creditor

Date of signature 2 March 20xx

DETAILS ABOUT PROPOSED GARNISHEE

Proposed garnishee

Name Commonwealth Bank of Australia

Address Corner of Main & Campbell Street

Blacktown NSW 2148

[on separate page]

AFFIDAVIT

Name	Meena Vishwana
Address	12/32 Campbell Street, Blacktown NSW 2750
Occupation	IT Consultant
Date	2 March 20xx

I affirm:

- 1 I am the judgment creditor.
- 2 Fiona Frame is a person liable to pay the judgment.
- 3 The amount payable under 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 \$34.37.
- 5 The amounts claimed for costs for the issue of the order are:

Service fees	\$ 0.00
Solicitors fees	\$ 0.00
TOTAL	\$ 0.00
- 6 The proposed garnishee is identified in the notice of motion at DETAILS ABOUT PROPOSED GARNISHEE.
- 7 The proposed garnishee order is in relation to the following debt: Commonwealth Bank of Australia, Blacktown, BSB 012 345, Account number 123456.
- 8 Any debts are, or are reasonably likely to be owed by the garnishee to the judgment debtor because the proposed garnishee was the bank the judgment debtor used to transfer money to the judgment creditor when previously invoiced for work. In December 20xx, the judgment debtor confirmed the details of the proposed garnishee.
- 9 The judgment is not stayed by an order of the court, by an instalment order or by a suspension under sections 86 or 90 of the [Legal Profession Uniform Law Application Act 2014](#) that has not been ended.

AFFIRMED at	Parramatta
Signature of deponent	<u>Meena Vishwana</u>
Name of witness	George Fisher
Address of witness	2/32 Campbell Street, Blacktown
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]

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

	<u>NSW Driver Licence</u>
	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.