

MAGISTRATES COURT of WESTERN AUSTRALIA
(CIVIL JURISDICTION)
GENERAL FORM OF AFFIDAVIT
FORM 2

Registry: Bunbury Phone: 9781 4200 Fax: 97218180		Case number: GCLM/326/2015
Claimant	ANDREW LAUGHTON	
Defendant	SHARYL MARSH	

I Ian Andrew Morison of 24 Arthur Street Bunbury

(full name and address) Lawyer (occupation)

(* Delete as applicable)

having been duly sworn say on oath the following:

1. I am the lawyer for the Defendant (*description of party*) in this case.
2. The Claimant has entered default judgment by reason of the Defendant's failure to file a Defence form 21 and I swear this affidavit in support of an application to set aside that judgment.
3. The delay is my fault. I have been very busy over the last six months or so, too busy, and to compound matters I had a Supreme Court trial in August which went for eight days over a three month period.
4. Preparation for trial and the trial consumed a great deal of time. After the evidence was completed I spent many hours preparing the client's closing submissions, and on 23 October 2015 oral closing submissions were made
4. I have been trying to catch up to avoid a similar result befalling another client but before I was able to prepare a defence in this action, judgment was entered.
5. I say the claim is legally ill-founded because it is against only one of two owners of the adjoining property.
6. If default judgment is set aside I propose to file the Defence which is annexed and marked IAM1.



SWORN
At Bunbury this 2ND day

21 of November 2015 in the presence of

[Signature]
D/ Registrar/Justice of the Peace/other authorised witness

[Signature]
Deponent

Each page is to be dated and signed by the person making the affidavit and the witness.

Tick [✓] appropriate box

Lodged by	<input checked="" type="checkbox"/> Claimant or claimant's lawyer <input type="checkbox"/> Defendant or defendant's lawyer <input type="checkbox"/> Other			
Address for service	Morison Legal			
Contact details	Telephone: 9792 4693	Lawyer's ref: Ian Morison	Fax: 9791 7493	E mail: ian@morisonlegal.com.au

as at 01/09/2008



Ian Morison
J. Dulle
D/Registrar

Details of anyone who the party alleges is liable for the claim and the grounds upon which the party so alleges:

None



Date:

- 2 NOV 2015

Defendant or lawyer:

Ian Morison

Please Turn Over

Sufficient copies of this form must be lodged to enable service by you on the claimant in accordance with the Magistrates Court (Civil Proceedings) Rules 2005.

Date:

- 2 NOV 2015

Defendant or lawyer:

Ian Morison

Lodged by	<input checked="" type="checkbox"/> Defendant or lawyer <input type="checkbox"/> Other			
Address for service	Morison Legal 24 Arthur Street Bunbury			
Contact details	Telephone: 9792 4693	Lawyer's ref: Ian Morison	Fax: 9791 7493	E mail: ian@morisonlegal.com.au

If more than one page is used to complete the Statement of Defence then each page must be signed and dated.

Ian

*Stella
O'Regan*