

**MAGISTRATES COURT of WESTERN AUSTRALIA
(CIVIL JURISDICTION)
LIST OF DOCUMENTS
FORM 36**

Registry: 3 Stephen street Bunbury, WA, 6230

Case number:
BUN/GCLM/316/2015

Claimant **Andrew Laughton**

Defendant **Sharyl Marsh and James Marsh**

(* Delete as applicable)

The following is a list of the documents relating to the matters in question in this case which are or have been in the possession, custody, or power of the *claimant and which is lodged and served in compliance with Rule 30 of the Magistrates Court (Civil Proceedings) Rules 2005.

1. The * claimant has in his, custody or power the documents relating to the matters in question in this case listed in the first schedule.
2. The *claimant objects to produce the documents listed in Part II of the first schedule on the grounds that

[state the grounds of objection]

3. The *claimant has had, but has not now, in his possession, custody or power the documents relating to the matters in question in this case listed in the second schedule.
4. The documents in the second schedule, were last in the *claimant possession, custody or power on the dates set out in that schedule.

[Here state what has become of the documents and in whose possession they now are]

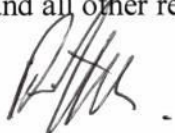
5. Neither the *claimant nor his lawyer nor any other person on his behalf, has now, or ever had, in his/hers/its possession, custody or power any document of any description whatever relating to any matter in question in this case, other than the documents listed in the first and second schedules.

The first schedule

PART I

[Here list in a convenient order the documents (or bundles of documents if of the same nature, such as invoices) in the possession, custody or power of the party in question that he does not object to produce, with a short description of each document or bundle sufficient to identify it.]

- 1994.04.23 Building Approval 11335 for Western retaining wall at 11b Keble Heights.
1994.07.07 Building Approval 11489 for Eastern retaining wall at 11b Keble Heights.
2012.06.11 Structerre Engineers report on damage to the boundary retaining wall.
2012.11.12 Invoice for Structerre report of \$555.50
2012.11.20 Email exchange where Greg Hamilton from Structerre states that the extra loading on the retaining wall needs to be removed.
2014.07 Original drawings with the option to either reinforce the retaining wall to its original height, or to the height of the new ground level.
2014.08.21 Email exchange where the Marshes respond that they have no intention of removing any extra sand as that would compromise the foundations of their new retaining wall.
2014.09.01 List of building permits for 11b Keble Heights.
2014.12.02 Building permit to reinforce damaged retaining wall.
2015.04.10 Quote from Bunbury Concreting.
Guidelines for building near sewers from the Water Corporation.
A map of the sewerage pipes in the area showing heights above sea level.
Any and all other relevant emails that I have sent and received.



- All photos taken of this area.
- A detailed list of what happened and when it happened.
- Recites for what has been spent so far.
- Financial statements showing interest charged, and other costs incurred due to delays.
- 2016.02 Neutral engineers report on damage to the boundry retaining wall.

PART II

[Here list the documents in the possession, custody or power of the party in question that he objects to produce.]

None

The second schedule

[Here list the documents that have been, but at the date of service of the list are not, in the possession, custody or power of the party in question.]

None

Date: 22/01/2016 Claimant/~~defendant~~ or lawyer:




NOTICE TO INSPECT

Take notice that the documents listed in Part I of the first schedule, may be inspected at the office of the lawyer of the *claimant:

May be requested by email and copies sent by email to and from HYPERLINK
 "mailto:laughton.andrew@gmail.com"laughton.andrew@gmail.com

[insert address or as the case may be]

on the any day of any month 2016 , between the hours of 12:01am and 11:59pm

To: The *claimant

Tick [✓] appropriate box

Lodged by	<input checked="" type="checkbox"/> Claimant or Claimants Lawyer <input type="checkbox"/> Defendant or Defendants Lawyer <input type="checkbox"/> Other			
Address for service	11b Keble Heights, College Grove, Bunbury, WA, 6230.			
Contact details	Telephone: 0409 931 559	Lawyer's ref:	Fax:	E mail: laughton.andrew@gmail.com