**Form 13D – Affidavit in support**

Rule 13.04(2)(b)

**AFFIDAVIT IN SUPPORT**

IN THE MAGISTRATES’ COURT Court Number

OF VICTORIA AT MELBOURNE

INDUSTRIAL DIVISION

BETWEEN Plaintiff

 *(full name)*

OF

 *(address)*

and

 Defendant

 *(full name)*

OF

 *(address of defendant)*

I *(insert name of plaintiff and occupation)* of *(insert address)* \*make oath and say/\*affirm and say—

1. A complaint Form 13A has been served on the defendant.

2. An 'affidavit/declaration of service' has been filed with the Court.

3. I have not received a response Form 13B from the defendant at the date of swearing or affirming this affidavit.

4. The amount of $     , calculated based on (*specify the basis on which the amount is calculated*) remains outstanding.

5. Nil or $      has been paid since filing and service of the complaint.

6. Any other relief sought and the basis on which it is sought is as follows: (*specify any other relief sought and set out all material facts on which you rely in support*)

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

\*Sworn/\*Affirmed at *(insert place)*.

in the State of Victoria on *(date)*.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signed by the plaintiff)

Before:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*signature*)

*(Name, capacity and address in legible writing or typed or stamped)*

Authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit.

\*Delete if inapplicable.