



REPUBLIC OF SOUTH AFRICA

**No. 13 - Discovery – form of Affidavit**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT/REGION OF .....

HELD AT ..... CASE NO: .....

In the matter between:

..... Plaintiff

and

..... Defendant

I, ....., the above-named defendant/plaintiff, make oath and say:

(1) I have in my possession or power the documents or recordings relating to the matters in question in this cause set forth in the first and second parts of the First Schedule hereto.

(2) I object to produce the said documents or recordings set forth in the second part of the said schedule hereto.

(3) I do so for the reason that .....  
(here state upon what grounds the objection is made, and verify the fact as far as may be).

(4) I have had, but have not now in my possession or power, the documents or recordings relating to the matters in question in this action, set forth in the Second Schedule hereto.

(5) The last-mentioned documents or recordings were last in my possession or power.....  
.....(state when).

(6) The .....(here state what has become of the last-mentioned documents and recordings, and in whose possession they are now).

(7) According to the best of my knowledge and belief, I have not now, and never had in my possession, custody, or power, or in the possession, custody or power of my attorney, or agent, or any other person on my behalf, any document or recording, or copy of, or extract from any document or recording, relating to any matters in question in this cause, other than the documents or recordings set forth in the First and Second Schedules hereto.

DATED at .....this .....day of .....20.....

.....

Defendant/Plaintiff