

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

Registry:	Case number:
Claimant	
Defendant	

(* 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*/defendant and which is lodged and served in compliance with Rule 30 of the Magistrates Court (Civil Proceedings) Rules 2005.

1. The claimant*/defendant* has in his/hers/its possession, custody or power the documents relating to the matters in question in this case listed in the first schedule.
2. The claimant*/defendant* 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*/defendant* 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's*/defendant's 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*/defendant* 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.]

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PART II

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

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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.]

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Date: 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*/*defendant*:

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[insert address or as the case may be]

on the day of 20....., between the hours of and

To: The claimant*/defendant*/lawyer*

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Tick [✓] appropriate box

Lodged by	<input type="checkbox"/> Claimant or Claimants Lawyer <input type="checkbox"/> Defendant or Defendants Lawyer <input type="checkbox"/> Other			
Address for service			
Contact details	Telephone:	Lawyer's ref:	Fax:	E mail: