# Form 26 [Rule 5.6]

Clerk’s Stamp

|  |  |
| --- | --- |
| COURT FILE NUMBER |  |
| COURT | COURT OF QUEEN’S BENCH OF ALBERTA |
| JUDICIAL CENTRE |  |
| PLAINTIFF(S) |  |
| DEFENDANT(S) |  |
| DOCUMENT | **AFFIDAVIT OF RECORDS** |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF  PARTY FILING THIS DOCUMENT |  | |

**Affidavit of Records of** **[Name And Status] Sworn (or Affirmed) on** **[date], 20****[year]**

I, [name], of [municipality, province], have personal knowledge of the following or I am informed and do believe that:

1. I am the Plaintiff/Defendant.

2. The records listed in Schedules 1 and 2 are under the control of myself.

3. I object(s) to produce the records listed in Schedule 2 on the grounds of privilege identified in that Schedule.

4. The records listed in Schedule 3 were previously under the control of myself, but ceased to be so at the time and in the manner stated in Schedule 3.

5. Other than the records listed in Schedules 1, 2, and 3, I do not have and never had any other relevant and material records under my control.

|  |  |  |
| --- | --- | --- |
| SWORN (OR AFFIRMED) BEFORE ME at [City], Alberta, this [Date] day of [Month], 20[Year].  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (Commissioner for Oaths in and for Alberta)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  PRINT NAME AND EXPIRY/LAWYER  /STUDENT‑AT‑LAW | )  )  )  )  )  )  )  )  )  )  ) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (Signature of Plaintiff/ Defendant)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (Print Name) |

# SCHEDULE 1

**Relevant and material records under my control for which there is no objection to produce:**

|  |  |  |
| --- | --- | --- |
| **Tab** | **Date** | **Description** |
| 1. | 2019-12-05 | Valuation of 123 first avenue, Edmonton |
| 2. | Undated | Photo of Tami reacting in horror as she reads this |
| 3. | Various Dates | Emails between the Plaintiff and the Defendant |

# SCHEDULE 2

**Relevant and material records under my control for which there is an objection to produce:**

1. **without prejudice communications:**
2. Any settlement communications between the Plaintiff and the Defendant;
3. Any settlement communications with any other third party;
4. **communications and copies of communications between solicitor and client:**
5. Communications and copies of communications between solicitor and client;
6. **solicitors’ work product, including all interoffice memoranda, correspondence, notes, memoranda and other records prepared by the solicitors or their assistants:**
7. Solicitors’ work product, including notes and memoranda prepared by the lawyer or the law firm;
8. ??? [can number, bundle or disclose collectively]
9. **records made or created for the dominant purpose of litigation, existing or anticipated:**
10. ??? [can number, bundle or disclose collectively]
11. [Don’t list expert’s reports or records relating to expert’s reports]
12. **other: *(provide particulars of objection relied on)***
13. N/A
14. **records that fall into 2 or more of the categories described above:**
15. Any communications with opposing counsel.

**SCHEDULE 3**

**Relevant and material records previously under the control of myself:**

|  |  |  |  |
| --- | --- | --- | --- |
| DESCRIPTION OF RECORD | WHEN THIS RECORD CEASED TO BE UNDER PLAINTIFF’S(S’)/  DEFENDANT’S(S’) CONTROL | MANNER IN WHICH THIS RECORD CEASED TO BE UNDER PLAINTIFF’S(S’)/ DEFENDANT’S(S’) CONTROL | PRESENT LOCATION OF THE RECORD |
| 1. Originals of any correspondence or other records written or sent by me to any other party. | Dates shown on the face of the correspondence or other records. | Originals have been forwarded to the party or parties to whom they were addressed. | Originals have been forwarded to the party or parties to whom they were addressed. |
| 2. Originals of records, other than described in item #1 above, shown as copies herein. | The original was never in my possession or originals cannot be located. | The original was never in my possession or originals cannot be located. | The original was never in my possession or originals cannot be located. |
| 3. |  |  |  |

|  |
| --- |
| **NOTICE**  The time when the producible records listed in this affidavit of records may be inspected is during normal office hours by prior appointment [or date within 10 days of service, or all producible records attached].  The place at which the producible records may be inspected is law firm address [or bookkeeper/accountant’s address if in relation to significant business disclosure]. |