# Form 26 [Rule 5.6]

Clerk’s Stamp

|  |  |
| --- | --- |
| COURT FILE NUMBER |  |
| COURT | COURT OF KING’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/plaintiff’s representative/defendant’s representative.

2. The records listed in Schedules 1 and 2 are under the control of the plaintiff/defendant.

3. I/The plaintiff(s)/The defendant(s) 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 the plaintiff/defendant, 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/the plaintiff(s)/the defendant(s), does/do not have and never had any other relevant and material records under my/the plaintiff’s(s’)/the defendant’s(s’) control.

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

# Schedule 1

**Relevant and material records under my/the Plaintiff’s(s’)/the Defendant’s(s’) control for which there is no objection to produce:**

|  |  |  |
| --- | --- | --- |
|  | DATE (OR OTHER CONVENIENT ORDER) | DESCRIPTION |
| 1. |  |  |
| 2. |  |  |
| 3. |  |  |

# Schedule 2

**Relevant and material records under my/the Plaintiff’s(s’)/the Defendant’s(s’) control for which there is an objection to produce:**

(a) without prejudice communications:

(b) communications and copies of communications between solicitor and client:

(c) solicitors’ work product, including all interoffice memoranda, correspondence, notes, memoranda and other records prepared by the solicitors or their assistants:

(d) records made or created for the dominant purpose of litigation, existing or anticipated:

(e) other: *(provide particulars of objection relied on)*

(f) records that fall into 2 or more of the categories described above:

# Schedule 3

**Relevant and material records previously under the control of the Plaintiff(s)/the Defendant(s):**

|  |  |  |  |
| --- | --- | --- | --- |
| 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. |  |  |  |
| 2. |  |  |  |
| 3. |  |  |  |

|  |
| --- |
| **NOTICE**  The time when the producible records listed in this affidavit of records may be inspected is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  The place at which the producible records may be inspected is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. |