

### Sample affidavit (Form 40)

This is an example of a completed affidavit - application to change court venue. It is important to complete this form using your own details and based on your own circumstances. If you need more help, get legal advice.

Form 40 (version 6)  
UCPR 35.1

## AFFIDAVIT OF SAMIRA KHAN, 18 September 2021

### COURT DETAILS

Court	Local Court of NSW
Division	Small Claims
List	N/A
Registry	Bankstown
Case number	[Initial claim number/Cross-claim number]

### TITLE OF PROCEEDINGS

Plaintiff	<b>John Hughes</b>
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Defendant	<b>Samira Khan</b>
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### FILING DETAILS

Filed for	<b>Samira Khan, Defendant and Cross-Claimant</b>
Filed in relation to	Plaintiff's claim, first Cross-claim

Contact name and telephone	Samira Khan, 0423 876 467
Contact email	<a href="mailto:s.khan@gmail.com">s.khan@gmail.com</a>

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#### AFFIDAVIT

Name Samira Khan  
Address 12 Wattle Way,  
NEWCASTLE NSW 2308  
Occupation Dental Nurse  
Date 18 September 2021

#### I affirm

- I am the Defendant and Cross-Claimant.
- I currently have no working car and live in Newcastle, NSW.
- I am a single mother, and I have a three-year-old child who attends day care. If I have to travel to and from Bankstown for the hearing/s, on public transport, I may have difficulty collecting my child from day care.

AFFIRMED at Newcastle  
Signature of deponent *Samira Khan*  
Name of witness Jane Blank  
Address of witness Shop 26, River Parade, NEWCASTLE NSW 2308  
Capacity of witness Solicitor

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):  
#I saw the face of the deponent.  
#I have known the deponent for at least 12 months.

Signature of witness *Jane Blank*

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.