

Form 32.01A

(rule 32.01)

File number: 20 _____ **G** _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

BETWEEN:

(Plaintiff's name)

PLAINTIFF

AND:

(Defendant's name)

DEFENDANT

(Modify title of proceeding as necessary.)

List of Documents

The following is a list of the documents relating to any matter in question in this proceeding that are or have been in the possession, custody or control of the (plaintiff) (defendant) and it is served in compliance with rule 32.01 (the order herein dated the ____ day of _____, 20 _____):

1. The (plaintiff) (defendant) has in _____ or _____ possession, custody or control the documents in this proceeding enumerated in Part 1 of the Schedule attached hereto;
2. The (plaintiff) (defendant) objects to produce the documents enumerated in Part 2 of the Schedule on the ground that they are privileged from production for the reasons stated in the Schedule;
3. The (plaintiff) (defendant) has had, but has not now, in _____ or _____ possession, custody or control the documents enumerated in Part 3 of the Schedule which were last in _____ or _____ possession, custody or control as stated in the Schedule; and
4. Neither the (plaintiff) (defendant) nor _____ or _____ solicitor nor any other person on _____ or _____ behalf, has now or ever had, in _____ or

_____ possession, custody or control any document or any description whatever relating to any matter in question in this proceeding other than the documents enumerated in the Schedule.

AND TAKE NOTICE that a true copy of each of the documents listed in Part 1 of the Schedule, for which privilege from production is not claimed, is attached hereto and any of these documents may be inspected by immediately communicating with the undersigned;

AND FURTHER TAKE NOTICE that unless you deny it by serving a notice thereof on me within ten days after being served with this list of documents, or it is denied in your pleading, or the Court otherwise orders, you shall be deemed to admit that any document listed in Part 1 of the Schedule, a true copy of which has been served on you, and described:

- (a) as an original document, is such a document and was printed, written, signed or executed as it purports respectively to have been; and
- (b) as a copy, is a true copy.

AND FURTHER TAKE NOTICE that, unless you are otherwise advised in writing, the (plaintiff) (defendant) will produce at the trial or hearing of the proceeding the documents listed in Part 1 of the Schedule, for which privilege from production is not claimed, without further notice from you.

Schedule

Part 1

(Here enumerate in a convenient order the documents (or bundles of documents, if of the same nature, such as invoices) in the possession, custody or control of the party that the party does not object to produce, with a short description of each document or bundle sufficiently to identify it.)

Part 2

(Here enumerate the documents in the possession, custody or control of the party that the party objects to produce on the ground of privilege, with the applicable reasons.)

Part 3

(Here enumerate the documents that at the date of service of the list, are not in the possession, custody or power of the party and give the respective dates the documents were last in the possession, custody or power of the party.)

DATED at _____ (city/town), _____ (province or, if
outside of Canada, country), on the _____ (day) of _____ (month),
_____ (year).

(Signature)
(Party/Solicitor for party)

Whose address for service is:
(Insert address for service)
Newfoundland and Labrador