

# Litigants in Person

Form completion guide

Affidavit in Support of Having Default Judgement

Set Aside (page 1 of 1) Items in [blue] must be completed

SUPREME  
COURT OF  
VICTORIA



IN THE SUPREME COURT OF VICTORIA AT MELBOURNE

No. [X] of [X]

Choose either [COMMON LAW DIVISION OR COMMERCIAL & EQUITY] DIVISION

BETWEEN

[FULL NAME(S) OF PLAINTIFF(S), IF MORE THAN 2, INSERT NAME OF 1ST PLAINTIFF "AND

OTHERS ACCORDING TO THE SCHEDULE"] (same as on Writ

Plaintiff/s

– and –

[FULL NAME(S) OF DEFENDANT(S), IF MORE THAN 2, INSERT NAME OF 1ST DEFENDANT

"AND OTHERS ACCORDING TO THE SCHEDULE"] (Same as on Writ)

Defendant/s

## AFFIDAVIT IN SUPPORT OF HAVING DEFAULT JUDGMENT SET ASIDE

Date of document: COMPLETE

Filed on behalf of: The Plaintiff

Prepared by: COMPLETE [Name]

Tel: COMPLETE

Fax: COMPLETE

Address: COMPLETE

I, COMPLETE [Name]....., ..... [Occupation] ,of .....

[Address] .... [make oath and say or solemnly and sincerely affirm] as follows:

1. That I am the [Plaintiff/Defendant] in this proceeding and I make this affidavit from my own knowledge unless otherwise stated. [If you have been told about some fact you must state who has informed you of that fact and that you believe that fact is true and accurate.]
2. [Set out in separate paragraphs the reasons for default either of appearance or defence.]
3. [Set out in separate numbered paragraphs the factual account of events which make an arguable defence for failure either to file an appearance or a defence in the proceeding.]
- 4.
- 5.
- 6.

[SWORN or AFFIRMED] at

in the State of Victoria

this      day of                      20

BEFORE ME:

['No.' & 'of'] information will be supplied when you file this document. If there is already a criminal proceedings commenced in the Supreme Court, No & of may be the same as on other court file documents.