**Form 26**

Rule 384(1)(a)

**LIST OF DOCUMENTS**

The following is a list of the documents relating to the matters in question in this action [*or matter*] which are or have been in the possession, custody or power of the abovenamed plaintiff [*or defendant or as the case may be*] and which is served in compliance with the Supreme Court Rules [*or the order made on, specify date*].

1. The party making this list has in his [*or her or its*] possession, custody or power the documents relating to the matters in question in this action [*or matter*] set out in the first schedule.

2. The party making this list objects to produce the documents set out in Part II of the first schedule on the ground that [*state the ground of objection*].

3. The party making this list has had, but has not now, in his [*or her or its*] possession, custody or power the documents relating to the matters in question in this action [*or matter*] set out in the second schedule.

4. The documents in the second schedule –

(a) were last in the possession, custody or power of the party making this list on the dates following; and

(b) have been dealt with in the manner following; and

(c) now are in the possession of the persons stated below –

[*state as to each of the said documents when it was last in the possession, custody or power of the party making the list, what has become of it and in whose possession it now is*].

5. Neither the party making this list nor his [*or her or its*] practitioner nor any other person on his [*or her or its*] behalf has now, or ever had, in his [*or her or its*] possession, custody or power any document of any description whatever relating to any matter in question in this action [*or matter*], other than the documents set out in the first and second schedules.

THE FIRST SCHEDULE

PART I

[*Set out in a convenient order the documents (or bundles of documents if of the same nature, such as invoices) in the possession, custody or power of the party that the party does not object to produce, with a short description of each document or bundle sufficient to identify it*]

PART II

[*Set out in a convenient order the documents in the possession, custody or power of the party that the party objects to produce*]

THE SECOND SCHEDULE

[*Set out in a convenient order the documents (or bundles of documents if of the same nature, such as invoices) that have been, but at the date of service of the list are not, in the possession, custody or power of the party*]

Dated

[*Party making list or the practitioner for that party*]

NOTICE TO INSPECT

Take notice that the documents listed in Part I of the First Schedule may be inspected at [*address of place where documents may be inspected*] on [*specify date*] between the hours of [*specify hours*].

Dated

[*Party making list or the practitioner for that party*]

To [*specify party on whom the list is served or the practitioner for that party*]