

AFFIDAVIT OF PETER BONE – 31 JANUARY 2014

COURT DETAILS

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|-------------|-----------------------------------|
| Court | District Court of New South Wales |
| Division | Sydney |
| Case number | 2013/360456 |

TITLE OF PROCEEDINGS

| | |
|-----------|---------------------------------|
| Plaintiff | |
| Defendant | Owners Corporation 52948 |

FILING DETAILS

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|--------------------------------|--|
| Filed for | Owners Corporation 52948, Defendant |
| Legal representative | Bruce William Bentley, J.S. Mueller & Co |
| Legal representative reference | AM:DR:24631 |
| Contact name and telephone | Adrian Simon Mueller 02 9562 1266 |



AFFIDAVIT DETAILS

Name Peter Bone
Address Level 2, 51 Rawson Street Epping
Occupation Strata Managing Agent
Date 31 January 2014

I say on oath:

1. I am employed by Body Corporate Management Services Pty Ltd trading as Raine & Horne Strata – Sydney which is the strata managing agent of the defendant (“owners corporation”).
2. I am the person at Raine & Horne Strata – Sydney presently responsible for the day-to-day strata title management of the owners corporation.
3. Raine & Horne Strata – Sydney has custody and control of the books and records of the owners corporation.
4. I have perused the affidavit of the plaintiff, _____, affirmed on 13 January 2014.
5. The documents contained in annexures “DB1” – “DB4” of that affidavit:
 - (a) all form part of the books and records of the owners corporation;
 - (b) were each available for _____ to inspect and take copies of at the office of Raine & Horne Strata – Sydney shortly after they were each generated pursuant to section 108 of the *Strata Schemes Management Act 1996*; and
 - (c) would have been made available for _____ to inspect and take copies of at the office of Raine & Horne Strata – Sydney had he made a proper application to inspect those documents shortly before 10 May 2013 pursuant to section 108 of that Act (apart from the document appearing on page 52 of the affidavit as that document was generated on 4 June 2013).

6. did not between 1 January 2013 and 10 May 2013 make an application to inspection the books and records of the owners corporation that complied with section 108 of the *Strata Schemes Management Act 1996*.

SWORN at Epping

Signature of deponent



Name of witness

SHUN CHENG

Address of witness

unit 202, L2, 51 Rawson St. Epping NSW 2121

Capacity of witness

solicitor

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

- 1 I saw the face of the deponent. *[OR, delete whichever option is inapplicable]*
~~I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.¹~~
- 2 I have known the deponent for at least 12 months. *[OR, delete whichever option is inapplicable]*
~~I have confirmed the deponent's identity using the following identification document:-~~

Identification document relied on (may be original or certified copy)²

Signature of witness



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

¹ The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

² "Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see Oaths Regulation 2011 or JP Ruling 003 - Confirming identity for NSW statutory declarations and affidavits, footnote 3.]