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SCHEDULE 1

Rule 28.3(1)

FORM G11

Form of notice in optional procedure for commission and diligence

Order by the Sheriff Court at *(insert address)*

Court ref. no.

In the cause

[A.B.] *(design)* Pursuer

against

[C.D.] *(design)* Defender

To *(insert name and designation of party or parties or haver, from whom documents are sought to be recovered)*

You are given notice that you are required to produce to the sheriff clerk at the above address within seven days of *(insert date on which service was executed. N.B. Rule 5.3(2) relating to postal service or intimation)*:

- (1) **this order which must be produced intact;**
- (2) **a certificate signed and completed in terms of the form appended to this notice; and**
- (3) **all documents in your possession falling within the enclosed specification, with an inventory of such documents signed by you relating to this order and your certificate.**

Production may be made by lodging the documents with the sheriff clerk at the above address, by posting them by registered post or the first class recorded delivery service addressed to the sheriff clerk at the above address.

Date: *(insert date)*

Signed

Solicitor for party (add designation and business address of the solicitor for the party in whose favour commission and diligence granted)

NOTE

If you claim confidentiality for any of the documents produced by you, such documents must nevertheless be produced, but may be placed in a special sealed packet by themselves, marked "confidential".

Claims for necessary outlays within certain specified limits may be paid. Claims should be made in writing to the person who has obtained an order that you produce the documents.



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CERTIFICATE

I hereby certify with reference to the order of the Sheriff Court at *(insert place of sheriff court)* in the cause *(insert court ref. no.)* and the relative specification of documents, served upon me and marked respectively X and Y;

(1) that the documents which are produced and which are numbered in the inventory signed by me and marked Z, are the whole documents in my possession falling under the specification [or that I have no documents in my possession falling within the specification];

(2) that, to the best of my knowledge and belief, there are in existence other documents falling within the specification, but not in my possession, namely *(describe them by reference to one or more of the descriptions of documents in the specification)*, which were last seen by me on or about *(insert date)*, at *(insert place)*, in the hands of *(insert name and address of the person)* [or that I know of the existence of no documents in the possession of any person, other than myself, which fall within the specification].

Signed