

Affidavit of Bryan Brown  
made on 07 / Dec / 2010

Court File No.: \_\_\_\_\_

Registry \_\_\_\_\_

*In the Supreme Court of British Columbia*

Appellant: BRYAN BROWN

Respondent: CAROL SMITH

**AFFIDAVIT**

I, Bryan Brown, of 2820 Green Street, Victoria, British Columbia, unemployed, do  
SWEAR (OR AFFIRM) THAT:

1. I propose to commence an Appeal in this Court under the above style of proceeding.
2. I make this affidavit in support of my application for an order that:
  - I be declared indigent with respect to the payment of fees set out in Schedule 1 of Appendix C of the Supreme Court Civil Rules;
  - The amount I am required to pay into court for security of costs and as per the Small Claims Order made against me be reduced; and
  - I be granted an extension of the time limit to serve the Notice of Appeal and Notice of Hearing on the Respondent because of the time it has taken me to appear in court and to obtain the order I am requesting regarding fees and payment.
3. Attached as Exhibit "A" to this Affidavit is a copy of the proposed Notice of Appeal.
4. I am 45 years old.
5. I have the following dependents:
  - Alison Brown, wife, age 41
  - Bryan Brown Jr., son, age 16
6. I am unemployed.

7. I am currently supported by benefits I receive under the Employment and Assistance Act. I have no other source of income except what I receive under the Employment and Assistance Act. No other person contributes to my support or the support of my dependents except my wife who earns \$300 per month.
8. There are no prospects of my financial situation improving in the near future.
9. Attached as Exhibit "B" to this affidavit is a true copy of a paystub for the month of November 2010 from the Ministry of Housing and Social Development showing that I receive benefits under the Employment and Assistance Act.
10. Attached as Exhibit "C" to this affidavit is a Financial Statement accurately outlining my monthly income and expenses and my capital assets.
11. Attached as Exhibit "D" to this affidavit is an accurate description of my educational and employment history.
12. Attached as Exhibit "E" to this affidavit is an accurate description of my workplace skills.
13. I have not yet served the Notice of Appeal or Notice of Hearing on the Respondent and require extra time to serve these documents on the Respondent, because I am first seeking to reduce the filing fees and security of costs.

SWORN (OR AFFIRMED) BEFORE )

ME at Victoria, British Columbia )

on 07 / Dec / 2010 )

)

)

A commissioner for taking )

affidavits for British Columbia )

.....

Bryan Brown

This is Exhibit A referred to in the affidavit of  
Bryan Brown, sworn (or affirmed)  
before me on 07 / Dec / 2010

.....  
A commissioner for taking affidavits for  
British Columbia

**<Include copy of Notice of Appeal here>**

This is Exhibit B referred to in the affidavit of  
Bryan Brown, sworn (or affirmed)  
before me on 07 / Dec / 2010

.....  
A commissioner for taking affidavits for  
British Columbia

**<Include a copy of paystub here>**

This is Exhibit C referred to in the affidavit of  
Bryan Brown, sworn (or affirmed)  
before me on 07 / Dec / 2010

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British Columbia

### FINANCIAL STATEMENT

#### ESTIMATED NET MONTHLY INCOME

Estimated net monthly income from all sources:		
Employment	\$	n/a
Pension	\$	n/a
Dividends	\$	n/a
Interest	\$	n/a
Other (Social Assistance = 600; Wife's income = 300)	\$	<u>900.00</u>
TOTAL (Estimated net monthly income)		\$900.00

#### ESTIMATED MONTHLY EXPENSES

Estimated monthly expenses related to housing	\$	400.00
Estimated monthly expenses related to transportation	\$	7.00
Estimated monthly expenses related to household expenses (\$320.00 Food + sundry items, including toiletries, detergent, etc)	\$	385.00
Estimated monthly expenses related to medical and dental expenses	\$	n/a
Estimated monthly expenses, not included in above, related to dependent children		\$100.00
Estimated monthly debt payments	\$	n/a
Estimate of other monthly expenses	\$	n/a
TOTAL (Estimated monthly expenses)		\$ <u>892.00</u>

#### ASSETS

TOTAL (Estimated asset values)		\$ <u>N/A</u>
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This is Exhibit D referred to in the affidavit of  
Bryan Brown, sworn (or affirmed)  
before me on 07 / Dec / 2010

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### EDUCATIONAL AND EMPLOYMENT HISTORY

1. Highest level of education attained and date completed: High school diploma  
1985

<b>Employer</b>	<b>Dates</b>	<b>Position</b>
McDonalds	1986 – 1990	Cook
Self-employed	1990 – 2004	Painter
Down's construction	2004 – 2009	Painter/Carpenter
None	2009 – present	Receiving social assistance

This is Exhibit D referred to in the affidavit of  
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### **WORKPLACE SKILLS**

I have skills as an in-line cook and painting. I also have some carpentry skills.