

Supreme Court of Nova Scotia

Between:

[name] as litigation guardian for [name] [title in proceeding]

and

[name] [title in proceeding]

**Affidavit of Proposed Trustee
(Settlement Under \$25,000)**

I [make oath/affirm] and give evidence as follows:

- 1 I am the person who is proposed to be trustee of a fund resulting from the settlement of the claims of [name of child] [and I am also his/her litigation guardian] .
- 2 I have personal knowledge of the evidence [sworn to/affirmed] in this affidavit except where otherwise stated to be based on information and belief.
- 3 I state, in this affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief of the source.
- 4 I refer to the information about [name of child] in the affidavit of litigation guardian, including the losses and the offer to settle.
- 5 I have read the draft order for approval of the settlement, creation of a trust, approval of counsel's fees and disbursements, and release.
- 6 I am willing to act as trustee on the terms in the draft order, varied as the court may provide.
- 7 Attached as Exhibit "A" is a draft undertaking and bond, which I will sign and file if appointed.

- 8 Attached as Exhibit "B" is a copy of the latest income tax return I filed.
- 9 I am employed by _____, and expect to be paid \$ _____ this year.
- 10 I own the assets described in Exhibit "C", my liabilities total \$ _____, and my net worth is \$ _____.
- 11 [Purpose, amount, and timing of any allocation expected to be made before the child turns nineteen, and proposals for investment of these funds in the meantime.]
- 12 I propose, if appointed trustee, to invest the proceeds of the settlement after payment of counsel, or such other sum as is approved by the court, in a guaranteed investment certificate with [name of financial institution] _____, at its office at _____, _____, Nova Scotia in my name as trustee for [name of child] _____.
- 13 Attached as Exhibit "D" is my undertaking not to collapse the GIC until [name of child] turns nineteen unless the court permits otherwise.

Sworn to/Affirmed before me)
 on _____, 20)
 at _____,)
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)
)
)

Name of trustee