

COUNTER AFFIDAVIT BY STOP PAYMENT NOTICE CLAIMANT

Civil Code § 9406, et seq.

Claimant:

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Contractor's License: _____

To Direct or Reputed Direct Contractor:

Name: _____
Address: _____
City: _____ State: _____ Zip: _____

To Public Entity:

Name: _____
Address: _____
City: _____ State: _____ Zip: _____

To Bond Surety:

Name: _____
Address: _____
City: _____ State: _____ Zip: _____

I, _____, declare as follows:

1. I (or my firm) have/has furnished labor, services, materials and/or equipment of the following description: _____ ;
2. For the building, structure or other improvement located at: _____
3. The name and address of the person or firm to whom labor, services, materials and/or equipment was furnished is: _____
4. On _____, I served a Preliminary Notice (Public Work) to _____ (name of public entity)
Pursuant to CA Civil Code § 9300, et. seq. I also filed a Stop Payment Notice on _____, with
_____ (name of public entity), pursuant to CA Civil Code §9350.
5. The amount of \$ _____ for labor, services, materials and/or equipment remains unpaid and owing.
6. I contest and rebut the allegations in the Affidavit filed on _____,
by _____ as follows:

(Attach additional explanation if necessary)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, at _____, California

By: _____
(signature)

(Name/Title)

PROOF OF SERVICE DECLARATION

Civil Code §§ 8117 and 8118

I, _____, declare that I am over the age of eighteen years and served copies of the COUNTER AFFIDAVIT BY STOP PAYMENT NOTICE CLAIMANT

- (a) **BY PERSONALLY DELIVERING** a copy to the office/residence of the person(s) listed above on _____, _____ (date) at _____ .m. (time):
- (b) **BY MAILING** a copy to the office/residence of the person(s) listed above on _____, _____ (date) at _____ .m. (time) by:
First Class United States Mail, registered certified return receipt requested express mail (mark one); or
Overnight/Express delivery via _____ (express carrier)
- (c) **BY LEAVING** a copy with _____ (name) at
Address: _____ City: _____ State: _____ Zip: _____
on _____, _____ (date) at _____ .m. (time) and MAILING a copy as indicated in part (b) above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, at _____, California.

(Signature of Person Serving Document)