

**Affidavit in Support of Motion for Order that Deposition be taken
at a Designated Place other than that Stated in Notice**

IN THE _____ COURT OF *(Name of County)*
STATE OF TEXAS

(Name of Plaintiff)

PLAINTIFF

VS.

CAUSE NO. _____

(Names of Defendants)

DEFENDANT

Affidavit in Support of Motion for Protective Order

STATE OF _____
COUNTY OF _____

PERSONALLY appeared before me, the undersigned authority in and for said county and state, _____ *(Name of Affiant)*, who, having been being first duty sworn by the undersigned Notary Public, deposes and says:

1. On _____ *(date)*, _____ *(Name of Plaintiff)*, the Plaintiff herein, filed this Action against Affiant.
2. On _____ *(date)*, _____ *(Name of Attorney)*, Attorney for Plaintiff forwarded to Affiant a Deposition Subpoena Duces Tecum, a copy of which is attached as **Exhibit A** to this Affidavit.
3. Affiant lives and works in _____ *(Name of City and State)*.
4. Affiant works as a _____ *(Name of Occupation)*, on the average, ____ hours per day as a necessity since *(Place of Occupation)* is short handed due to _____ *(reason)*.
5. It would cause a severe financial hardship on Affiant to travel and stay in _____ *(Name of City)*, Texas, where the Deposition is presently noticed to be taken.
6. Both of the parents of Affiant live in _____ *(Name of City and State)*, and depend on Affiant daily for their well-being. Affiant's Father _____ *(Name of Father)* had a stroke in _____ *(year)* and still suffers from it such in that he has states of confusion. Affiant's Mother _____ *(Name of Mother)* also suffers from ill health and is bedridden. Both depend on Affiant to make sure that they take their medications on a timely basis.
7. Affiant believes that Plaintiff is in a better situation financially and otherwise to have his Attorney travel to _____ *(Name of City and State)* to take Affiant's Deposition and examine documents.
8. The matters on which Plaintiff desires to interrogate Affiant are relatively simple

and can be effectively ascertained by means of written questions.

9. Affiant has in good faith conferred or attempted to confer with _____ *(Name of Attorney)*, the Attorney for Plaintiff _____ *(Name of Plaintiff)*, in an effort to resolve the dispute without Court action, but such effort was unproductive.

(Printed Name of Affiant)
(Signature of Affiant)

SWORN to and subscribed before me, this the ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

Certificate of Service

This is to certify that I, _____ *(Name of Defendant)*, a Defendant in the above Action, have this date served a true and correct copy of the above and foregoing Affidavit by U.S. Mail, postage fully prepaid, to the following counsel of record for the Plaintiff:

(Name of Attorney)
(Post Office Box No. or Street Address)
(City, State, Zip Code)

This the ____ day of _____, 20____.

Respectfully submitted,

(Printed Name of Defendant)
(Signature of Defendant)