

1 **Rule 4. Counter affidavit.**

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3 (a) Defendant may file with the clerk of the court a counter affidavit stating facts showing the  
4 right to recover money from plaintiff.

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6 (b) Unless waived upon filing an affidavit of impecuniosity, the appropriate filing fee must  
7 accompany the counter affidavit.

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9 (c) Except as provided in Rule 2A, any counter affidavit must be filed at least 15 calendar days  
10 before the trial. The clerk of the court will mail a copy of the counter affidavit to plaintiff at the  
11 address provided by plaintiff on the affidavit.

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13 A counter affidavit for more than the monetary limit for small claims actions may not be filed  
14 under these rules.