

STATE OF INDIANA
COUNTY OF ELKHART

) IN THE ELKHART SUPERIOR COURT 5
)
) CASE NO: 20D05-_____

PLAINTIFF

V.

DEFENDANT

AFFIDAVIT IN RESPONSE TO 41(E) ORDER FOR HEARING

Comes now the Plaintiff, by counsel and moves this Court to dismiss the TR 41(E) Hearing set in this case. In support thereof I file this Affidavit stating that between the last filing by Plaintiff on _____ and the Court's Order setting this hearing entered on _____, the following **detailed** actions have been taken to actively litigate this case **between the above** listed dates (do not include prior dates or future actions):

As a result, the Plaintiff believes it has shown cause why the case should be retained.

The undersigned hereby affirms under the pains and penalties for perjury that the foregoing representations are true and correct.

Print Name

/s/ _____
Plaintiff's counsel Bar #

Date