

COUNTERAFFIDAVIT AND DECLARATION BY STOP PAYMENT NOTICE CLAIMANT

(CA Civil Code § 9400 et seq.)

TO: **DIRECT CONTRACTOR** **PUBLIC ENTITY**

Name: _____

Address: _____

I, _____ (name of stop notice claimant), **STATE:**
I HAVE FURNISHED WORK, LABOR, SERVICES, EQUIPMENT AND/OR MATERIAL OF THE FOLLOWING GENERAL DESCRIPTION:

_____.

FOR THE BUILDING, STRUCTURE OR OTHER WORK OF IMPROVEMENT LOCATED AT:

Address/Description: _____.

THE PERSON OR FIRM WHO CONTRACTED FOR THE PURCHASE OF SUCH WORK, LABOR, SERVICES, EQUIPMENT AND/OR MATERIAL IS:

Name, Title & Address: _____.

I GAVE A PRELIMINARY NOTICE (PUBLIC WORK) TO _____ (name of public entity)
ON _____, _____ (date), **IN ACCORDANCE WITH CA CIVIL CODE § 9300 et seq. I ALSO FILED A STOP PAYMENT NOTICE**
WITH _____ **ON** _____, _____ (date), **IN ACCORDANCE**
WITH CA CIVIL CODE SECTION 9350 et seq. THE AMOUNT OF \$ _____ **WHICH IS DUE AND OWING FOR THE ABOVE**
DESCRIBED WORK, LABOR, SERVICES, EQUIPMENT AND/OR MATERIAL, REMAINS UNPAID. I CONTEST AND REBUT THE ALLEGATIONS OF
THE AFFIDAVIT DATED _____, _____ (date), **FILED BY** _____,
AS THE DIRECT CONTRACTOR ON SAID WORK OF IMPROVEMENT, FOR THE FOLLOWING REASONS:

_____.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS DECLARATION WAS EXECUTED ON _____, _____ (date), **AT** _____, CALIFORNIA.

(Signature of Claimant)

(Name of Firm) _____
(Title)

(Telephone) _____
(Street Address or PO Box)

(Contractor's License) _____
(City, State, Zip)

PROOF OF SERVICE AFFIDAVIT

I, _____, declare that I served copies of the above **COUNTERAFFIDAVIT AND DECLARATION BY STOP PAYMENT NOTICE CLAIMANT** by First Class Certified (Return Receipt Requested) or Registered Mail service, postage prepaid, on the original contractor and the public entity, at the addresses shown above, on _____, _____ (date). I declare under penalty of perjury that the foregoing is true and correct. Signed at _____, California, on _____, _____ (date).

(Signature of Person Making Service)