

Keith Setaka

From: Johann Basson
Sent: Thursday, December 05, 2013 11:20 AM
To: Keith Setaka
Subject: FW: Le Grellier and 3 Others/PFA Adjudicator and 32 Others - Case no. 49616/13

Johann Basson

Associate

Hogan Lovells South Africa
Incorporated as Routledge Modise Inc.
22 Fredman Drive
Sandton, 2196
Tel: +27 11 286 6900
Direct: +27 11 286 6918
Fax: +27 86 683 7033
Email: johannb@rmlaw.co.za
www.rmlaw.co.za

From: Johann Basson
Sent: 05 December 2013 11:19 AM
To: Johann Basson
Subject: FW: Le Grellier and 3 Others/PFA Adjudicator and 32 Others - Case no. 49616/13

Johann Basson

Associate

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From: Ren Dunster | Dunster & Associates [<mailto:ren@dunster.co.za>]
Sent: 14 August 2013 08:29 AM
To: Johann Basson
Cc: Hunter Thyne; Shireen Patel; Ahmed Mokdad
Subject: RE: Le Grellier and 3 Others/PFA Adjudicator and 32 Others - Case no. 49616/13



Dear Johann,

1. Thank you, I confirm receipt and service by email on behalf of the 32nd and 33rd Respondents.

2. I must still go through your 5 emails and make sure that we have received all the pages; I will let you know once I have confirmed.

Kind Regards

Ren Dunster

B.Com LLB LLM Tax & Shipping

C +27 (0)82 454 0187 T +27 (0)21 422 3020
F +27(0)86 601 2142 E ren@dunster.co.za
4th Floor, Suite 405, 42 Keerom Street, Cape Town, 8001
P O Box 15519, Vlaeberg, 8018
www.dunster.co.za

From: Johann Basson [<mailto:JohannB@rmlaw.co.za>]

nt: 13 August 2013 03:46 PM

To: ren@dunster.co.za

Cc: Hunter Thyne; Shireen Patel; Ahmed Mokdad

Subject: Le Grellier and 3 Others/PFA Adjudicator and 32 Others - Case no. 49616/13

Dear Ren

Thank you for agreeing to accept service of the papers in the application on behalf of your clients, the IF Umbrella Pension and Provident Funds.

I send herewith part 1 of 5 of the issued papers. 4 further emails will follow.

Kindly acknowledge receipt thereof and advise if you require anything further.

Yours sincerely

Johann Basson

Associate

Financial Services Department



Tel (27 11) 286 6900

Fax 086 683 7033

Direct (27 11) 286 6918

Email johannb@rmlaw.co.za

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**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)**

375

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

LUKHIMANE M.A.N.O,

1st Respondant

and

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on the 14 AUGUST 2013 at 15h00 at 4TH FLOOR RIVERWALK OFFICE PARK BLOCK A, 41 MATROOSBERG ROAD, ASHLEA GARDENS, being the principal place of business of PENSION FUNDS ADJUDICATORS, a copy of the Notice of Motion FOUNDING AFFIDAVIT OF GAIL DENIESE LE GRELLIER AND ANNEXURES was served upon ME C. KOTSHOBA - ADMIN ASSISTANT, after the original document was displayed and the nature and contents thereof explained to her. ME C. KOTSHOBA a person apparently not less than sixteen years of age and in the employ of PENSION FUNDS ADJUDICATORS, accepted service. Rule 4(1)(a)(v) .

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Registration & Return	33.00	1	33.00				
Collect & Return Documents	6.00	1	6.00				
Travelling	3.50	20	70.00				
Urgent Service	347.00	1	347.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	505.00
VAT	70.70
Total	575.70

Account No.: 0JACOBS050

TO: JACOBSON & LEVY : PRETORIA *****

Dx - 52 PRETORIA

Your Reference: J LEVY/DB/L11752



Mrs Isabel Nieuwenhuys - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Pretoria on 19/08/13

My Reference: 2013/01/15551.00 / ICH

Sheriff Pretoria South East

P.O. Box 12526, Hatfield, 0028 Dx 40 Hatfield

TEL: +27(12) 342 0706

FAX: +27(12) 342 7138

VAT No./BTW Nr. 4310201837

IN THE NORTH GAUTENG HIGH COURT, PRETORIA
REPUBLIC OF SOUTH AFRICA

Case No – Saak No

49616/13

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicants

and:

HETTAS CC

Tenth Respondent

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

On this 16th day of August 2013 at 16:57 I served the NOTICE OF MOTION TOGETHER WITH FOUNDING AFFIDAVIT OF GAIL DENISE LE GRELLIER WITH ANNEXURES "GL1"-GL39" in this matter upon V. BELL *ATTORNEY*, apparently a responsible person and apparently not less than 16 years of age, of and in control of and at the registered office of HETTAS CC at 3A SIR GEORGE GREY STREET, ORANJEZICHT, CAPE TOWN by handing to the PARTY SERVED a copy thereof after explaining the nature and exigency of the said process. RULE 4(1) (a) (v)

Appearance Date: 9 October 2013.

Note: The original return together with the original abovementioned process is despatched to the mandator.

Sheriff Fees aljugelde	Date Datum	19.08.2013	Tax Invoice Number Belastingfaktuur Nr.	I 21549																																									
<table border="1"> <thead> <tr> <th>Description.....</th> <th>Qty</th> <th>Vat</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Registration and Return</td> <td>1</td> <td>4.62</td> <td>33.00</td> </tr> <tr> <td>Service (H)</td> <td>1</td> <td>6.86</td> <td>49.00</td> </tr> <tr> <td>Postage / handling fee</td> <td>1</td> <td>2.65</td> <td>18.95</td> </tr> <tr> <td>Copies made</td> <td>1</td> <td>0.49</td> <td>3.50</td> </tr> <tr> <td>Urgency levy (High Court)</td> <td>1</td> <td>6.86</td> <td>49.00</td> </tr> <tr> <td>Travelling Urgent Sameday</td> <td>1</td> <td>2.94</td> <td>21.00</td> </tr> <tr> <td>SheriffNet Charges</td> <td>1</td> <td>1.68</td> <td>12.00</td> </tr> <tr> <td>VAT / BTW</td> <td></td> <td></td> <td>26.10</td> </tr> </tbody> </table>				Description.....	Qty	Vat	Amount	Registration and Return	1	4.62	33.00	Service (H)	1	6.86	49.00	Postage / handling fee	1	2.65	18.95	Copies made	1	0.49	3.50	Urgency levy (High Court)	1	6.86	49.00	Travelling Urgent Sameday	1	2.94	21.00	SheriffNet Charges	1	1.68	12.00	VAT / BTW			26.10	LELETHU PALISO Deputy Sheriff N Ntsibantu Balju – Sheriff Cape Town West Tel: 021 465 7671 Fax: 021 461 1540 P O Box 696 Posbus Cape Town 8000 admin@sheriffctwest.co.za Bank: Nedbank Cape Town Name: Cape Town West Business Account BrCode: 101109 AccNo: 1035754576					
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SheriffNet Charges	1	1.68	12.00																																										
VAT / BTW			26.10																																										
VAT Reg No. BTW Reg Nr.	4410262689		You may require this account to be taxed and vouched before payment. U kan vereis dat hierdie rekening getakseer en gestaaf word voor betaling		Total Totaal	212.55																																							
RM ROUTLEDGEMODISE ATTORNEYS (DX 7 SANDTON SQ				Account No. ♦ Rekening Nr. 41094 Your Reference ♦ U Verwysing I33187/D Di Siena/A My Reference ♦ My Verwysing Ret: 3023633/Marick MUCHINGAMI/		VatReg 4430134611 Registrar: REPUBLIC OF SOUTH AFRICA																																							

In the case between:

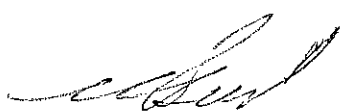
LE GRELLIER GAIL & 3 OTHERS and BEEFMASTER (PTY) LTD	APPLICANTS 3RD RESPONDENT
Address where served: 86 PETER MOKABA AVENUE POTCHEFSTROOM - REGISTERED ADDRESS	
NOTICE OF MOTION	

I certify that on 16/8/2013 at 10H04 at 86 PETER MOKABA STR, POTCHEFSTROOM I handled the abovenamed process in the manner indicated below:

MANNER OF SERVICE/EXECUTION:

By proper service of a copy of the NOTICE OF MOTION on MRS. M VAN BILJON, a responsible employee of GNR AUDITORS, a firm of Chartered Accountants at the above address, being the registered office of the respondent (PTY) LTD, after explaining the nature and contents thereof to the said MRS. M. VAN BILJON.

Appearance date: 09-Oct-2013



(Signed) DEPUTY SHERIFF: HENNIE SMIT

From: SHERIFF
S.J. VAN WYK
PO BOX 1058
DOCEX 12
POTCHEFSTROOM. 2520
Tel: 018-2975471/2
Fax: 018-2943238
Email: sheriffpotch@iafrica.com

Account info for bank deposits/transfers:
ABSA BANK (POTCHEFSTROOM)
Name: CHEQUE ACCOUNT
No. 680900817

To: NORTH GAUTENG
PRETORIA

ROUTLEDGE MODISE ATTORNEYS PO BOX 78333 SANDTON CITY 2146 Your VAT No: 4430134611	Account No: 2078 Your reference: I33187/D DI SIENA/AM
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DESCRIPTION OF FEES	FEES
Bank Costs	24.00
Cost of Copies	3.00
E Mail	6.00
Post	18.00
Registration	7.00
Return	25.50
Service	49.00
Travelling	21.00
Urgency Fee	350.00
Sub-total Fees	503.50
Plus VAT	70.49
TOTAL OWING	R 573.99

Invoice No: 167334 My VAT No: 4600121695
Invoice issued on 19-Aug-2013.
You may require this account to be taxed and vouched within 90 days of date of issue.

**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court, Pretoria)**

380

Case No. 49616/13

In the matter between:

LE GRELLIER GAIL AND THREE OTHERS

Applicant

and

WORLD CARGO SERVICES (PTY) LIMITED

14th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 20 August 2013 at 09h01 at SUITE 7, DENAVO HOUSE, 15 YORK STREET, KENSINGTON B, RANDBURG being the registered address of WORLD CARGO SERVICES (PTY) LIMITED, a copy of the NOTICE OF MOTION, FOUNDING AFFIDAVIT undersigned by GAIL DENISE GRELLIER, ANNEXURES "GL1, GL2, GL3, GL4, GL5, GL6, GL7, GL8, GL9, GL10, GL11, GL12, GL13, GL14, GL15, GL16, GL17, GL18, GL19, GL20, GL21, GL22, GL23, GL24, GL25, GL26, GL27, GL28, GL29, GL30, GL31, GL32, GL33, GL34, GL35, GL36, GL37, GL38" was served to Mr W K H. Langrebe, AUDITOR OF W K H LANGREBE & CO a responsible employee of W K H LANGREBE & CO, after the original document was displayed and the nature and contents thereof explained to him. Mr W K H. Langrebe a person apparently not less than sixteen years of age and in the employ of W K H LANGREBE & CO accepted service. Rule 4[1](a)(v).

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Return	23.00	1	23.00				
Travelling.	3.50	6	21.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	93.00
VAT	13.02
Total	106.02

Account No.: RROUTL00111

TO: ROUTLEDGE MODISE ATTORNEYS (SA)

Dx - 7 SANDTON SQUARE

Your Reference: 133187/A MOKDAD/D DI SIENA



Mr Graeme Aylward - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Randburg on 30/08/13

My Reference: 2013/14/25369.00 / LM

Sheriff Randburg South West - Ms M.L. Lephadi

P.O. Box 1290 Ferndale 2160

Tel: +27-11-326 3559

Fax: +27-11-326 3599

VAT No./BTW Nr. 4680262658

**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court, Pretoria)**

381

Case No. 49616/13

In the matter between:

LE GRELLIER GAIL AND THREE OTHERS

Applicant

and

CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED

15th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 20 August 2013 at 08h54 at UNIT 3, TULBAGH, 360 OAK AVENUE, FERNDALE, RANDBURG being the registered address of CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED, a copy of the NOTICE OF MOTION, FOUNDING AFFIDAVIT undersigned by GAIL DENISE GRELLIER, ANNEXURES " GL1, GL2, GL3, GL4, GL5, GL6, GL7, GL8, GL9, GL10, GL11, GL12, GL13, GL14, GL15, GL16, GL17, GL18, GL19, GL20, GL21, GL22, GL23, GL24, GL25, GL26, GL27, GL28, GL29, GL30, GL31, GL32, GL33, GL34, GL35, GL36, GL37, GL38" was served to Mrs H. Scheepers, receptionist a responsible employee of CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED, after the original document was displayed and the nature and contents thereof explained to her. Mrs H. Scheepers a person apparently not less than sixteen years of age and in the employ of CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED accepted service. Rule 4[1](a)(v). .

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Cellular call	7.00	1	7.00				
Cellular costs	3.00	3	9.00				
Service	49.00	1	49.00				
post/petties/docex	27.00	1	27.00				
Return	23.00	1	23.00				
Travelling.	3.50	8	28.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	143.00
VAT	20.02
Total	163.02

Account No.: RROUTL00111
TO: ROUTLEDGE MODISE ATTORNEYS (SA)
 Dx - 7 SANDTON SQUARE

Mr Graeme Aylward - Deputy Sheriff
 (Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)
 Signed at Randburg on 29/08/13
 My Reference: 2013/15/25369.00 / LM

Sheriff Randburg South West - Ms M.L. Lephadi
 P.O. Box 1290 Ferndale 2160
 Tel: +27-11-326 3559
 Fax: +27-11-326 3599
 VAT No./BTW Nr. 4680262658

Your Reference: 133187/A MOKDAD/D DI SIENA



**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court, Pretoria)**

382

Case No. 49616/13

In the matter between:

LE GRELLIER GAIL AND THREE OTHERS

Applicant

and

IDI TECHNOLOGY SOLUTIONS (PTY) LIMITED

12th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 20 August 2013 at 08h33 at 75 MALIBNGWE DRIVE, LENDEN EXTENSION, being the registered address of IDI TECHNOLOGY SOLUTIONS (PTY) LIMITED, a copy of the NOTICE OF MOTION FOUNDING AFFIDAVIT undersigned by GAIL DENISE GRELLIER, ANNEXURES " GL1, GL2, GL3, GL4, GL5, GL6, GL7, GL8, GL9, GL10, GL11, GL12, GL13, GL14, GL15, GL16, GL17, GL18, GL19, GL20, GL21, GL22, GL23, GL24, GL25, GL26, GL27, GL28, GL29, GL30, GL31, GL32, GL33, GL34, GL35, GL36, GL37, GL38" was served to Miss Eloff, manager a responsible employee of ODENDAAL & CO, after a copy of the original document was displayed and the nature and contents thereof explained to her. Miss Eloff a person apparently not less than sixteen years of age and in the employ of ODENDAAL & CO accepted service. Rule 4[1](a)(v).

Note: No original document

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Registration & Return	30.00	1	30.00				
Travelling	3.50	15	52.50				
Urgent Service	300.00	1	300.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	431.50
VAT	60.41
Total	491.91

Account No.: RROUTL00111
TO: ROUTLEDGE MODISE ATTORNEYS (SA)
 Dx - 7 SANDTON SQUARE

Mr M SHYMAN - Deputy Sheriff
 (Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)
 Signed at Randburg on 23/08/13
 My Reference: 2013/12/25369.00 / RAM

Sheriff Randburg South West - Ms M.L. Lephadi
 P.O. Box 1290 Ferndale 2160
 Tel: +27-11-326 3559
 Fax: +27-11-326 3599
 VAT No./BTW Nr. 4680262658

Your Reference: 133187/A MOKDAD/D DI SIENA



**IN THE NORTH GAUTENG HIGH COURT, PRETORIA
REPUBLIC OF SOUTH AFRICA**

Case No – Saak No 496167/13

In the matter between:
LE GRELLIER GAIL
BOTHA RENIER
LEPAR DAVID
SMITH CAREL

1ST APPLICANT
2ND APPLICANT
3RD APPLICANT
4TH APPLICANT

and:
CONVISTA CONSULTING (PTY) LTD

11TH RESPONDENT

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

On this 16th day of August 2013 at 16:10 I served the NOTICE OF MOTION TOGETHER WITH FOUNDING AFFIDAVIT OF GAIL DENISE LE GRELLIER (ANNEXURES "FL1" - "GL39") in this matter upon MRS SIBBERHAM * ACCOUNTANT apparently a responsible person and apparently not less than 16 years of age, of and in control of and at the registered office of CONVISTA CONSULTING (PTY) LTD at MAZARS HOUSE, RIALTO ROAD, GRAND MOORINGS PRECINCT CAPE TOWN by handing to the PARTY SERVED a copy thereof after explaining the nature and exigency of the said process, RULE (1)(a)(v)

Appearance Date: 9 October 2013.

Note: The original return together with the original abovementioned process is despatched to the mandator.

Sheriff Fees Baljugeelde	Date Datum	Tax Invoice Number Belastingfaktuur Nr.	Description	Qty	Vat	Amount
	22.08.2013	I 15764	Service (High Court)	1	6.86	49.00
			Registration and Return	1	4.55	32.50
			Postage / handling fee	1	1.96	14.00
			Copies made	1	0.35	2.50
			Same Day Service Levy (HIGH)	1	6.86	49.00
			Telephone Calls (M+R)	4	3.92	28.00
			Travelling Urgent Sameday	1	16.66	119.00
			Urgency Levy (High Court)	1	21.00	150.00
			Telefaxes sent/received	2	2.52	18.00
			VAT / BTW			64.68


Tax Invoice
Belastingfaktuur



A BAARD
Deputy Sheriff

X Ngesi
Balju – Sheriff
Cape Town East
Tel: 021 465 7580
Fax: 021 461 1540
PO Box 696 Posbus
Cape Town
8000
Geraldine@cteast.co.za
FNB Port Nolloth
Cape Town East HL
Business Account
Code: 200806
No: 62383213734

YAT Reg No. BTW Reg Nr.	4010262816	You may require this account to be taxed and vouched before payment. U kan verels dat hierdie rekening getakseer en gestaaf word voor betaling	Total Totaal	526.68
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ROUTLEDGE MODISE COLLECTION	Account No. ♦ Rekening Nr.	30568
	Your Reference ♦ U Verwysing	I331
	My Reference ♦ My Verwysing	7/D DI SIENA/A
	Ret: 2016966/CLARISHA/1	
Registrar: REPUBLIC OF SOUTH AFRICA		

IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)

385

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

PANORAMIC COMPONENTS PTY LTD

24th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 20 August 2013 at 15h15 at UNIT 4, 27 LINKSFIELD ROAD, DUNVEGAN, GERMISTON NORTH being the registered address of PANORAMIC COMPONENTS PTY LTD, a copy of the Notice of Motion, Founding Affidavit of Gail Denise Le Grellier together with "GL1" up to and including "GL38" was served upon LEJEUNE, receptionist of H & Z ACCOUNTANTS, after a certified copy of the original document was displayed and the nature and contents thereof explained to her. LEJEUNE a person apparently not less than sixteen years of age and in the employ of H & Z ACCOUNTANTS accepted service. Rule 4(1)(a)(v).

Certified copy of original Documents returned herewith.

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Return	25.50	1	25.50				
Travelling	3.50	12	42.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	116.50
VAT	16.31
Total	132.81

Account No.: ROUTLED060

TO: ROUTLEDGE MODISE INC

Dx - 7 - SANDTON SQUARE

Your Reference: I33187/D DI SIENA/A MOKDAD


Mr Ponty Freislich - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Edenvale on 21/08/13

My Reference: 2013/24/14281.00 / MLO

Acting Sheriff Germiston North (J. G. Scheepers)

P O Box 1178, EDENVALE, 1610

Tel: (011) 452-8025

Fax: (011) 452-4409

IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)

386

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

ENABLEMED PTY LTD

27th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on the 2013/08/20 at 15h00 at EOH BUSINESS PARK, GILLOOLYS VIEW, OSBORNE LANE, GERMISTON NORTH being the registered address of ENABLEMED PTY LTD a copy of the Notice of Motion, Founding Affidavit of Gail Denise Le Grellier together with "GL1" up to and including "GL38" was served by affixing it to the principal door at registered address, as the premises was found locked. After a diligent search and enquiry, no other manner of service was possible at the given address. Rule 4(1)(a)(v).

Certified copy of original Documents returned herewith.

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Return	25.50	1	25.50				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	74.50
VAT	10.43
Total	84.93

Account No.: ROUTLED060

TO: ROUTLEDGE MODISE INC

Dx - 7 - SANDTON SQUARE

Your Reference: I33187/D DI SIENA/A MOKDAD


Mr. Fanie Gerber - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Edenvale on 21/08/13

My Reference: 2013/27/14281.00 / MLO

Acting Sheriff Germiston North (J. G. Scheepers)

P O Box 1178, EDENVALE, 1610

Tel: (011) 452-8025

Fax: (011) 452-4409

IN THE NORTH GAUTENG HIGH COURT PRETORIA
REPUBLIC OF SOUTH AFRICA

OX 7 SANDTON SQUARE (MADELEINE)

IN THE MATTER BETWEEN :

CASE NO : 49616/13

LE GRELLIER GAIL
& 3 OTHERS

1ST APPLICANT

and
H BIRKENMEYER (PTY) LIMITED

4TH RESPONDENT

T.A.X. I N V O I C E (REG.NO. 4250141902)

RETURN OF SERVICE

RECEIVED
2013-08-23

On the 20TH DAY of AUGUST 2013 at 15h22 and at
1ST FLOOR, WILLOW GROVE, GROVE CITY, 196 LOUIS BOTHA AVENUE, JHB
the annexed NOTICE OF MOTION, FOUNDRING AFFIDAVIT AND ANNEXURES was served
on the 4th Respondent Company, by affixing a copy of the original
to the main door, at the given address, oursuant being unable to find a
responsible employee or other person thereat willing to accept service,
being the registered office of the 4th Respondent Company, in terms of
RULE 4(1)(a)(v).
ATTACHED A COPY TO THE PRINCIPAL DOOR AS 4TH RESPONDENT IS UNKNOWN TO
EMPLOYEES OF PARMALAT.

Dated at Johannesburg this 22nd August 2013

E84

Fees set out as follows:

Service	49.00
Travelling	84.00
Registration	7.00
Return	25.50
Urgent Fee	350.00
	.00
	.00

Attorneys : ROUTLEDGE MODISE ATTORNEYS
P O BOX 78333
SANDTON CITY 2146
VAT 4430134611 0000

INVOICE NO : 444314
SHERIFF JHB. NORTH - UNIT B1
51/61 ROSETTENVILLE ROAD
VILLAGE MAIN OFFICE PARK
P.O. BOX 9025 JHB 2000

Your ref.: I33187/D DI SIENA

Our ref.: 003/772512/TR20

Te1 (011) 334-4397/98

Fees : R 515.50 R 72.17 Vat = R 587.67 Fax (011) 334-4320

IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)

389

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

MIXTEC CC

20th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 20 August 2013 at 17h02 at 59 FLEMING ROAD, MEADOWDALE, GERMISTON NORTH being the registered address of MIXTEC CC, a copy of the Notice of Motion, Founding Affidavit of Gail Denise Le Grellier together with "GL1" up to and including "GL38" was served upon DARIUS VAN DER BERG, storeman of MIXTEC CC, after a certified copy of the original document was displayed and the nature and contents thereof explained to him. DARIUS VAN DER BERG a person apparently not less than sixteen years of age and in the employ of MIXTEC CC accepted service. Rule 4(1)(a)(v).

Certified copy of original Documents returned herewith.

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Return	25.50	1	25.50				
Travelling	3.50	16	56.00				

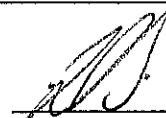
TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	130.50
VAT	18.27
Total	148.77

Account No.: ROUTLED060
TO: ROUTLEDGE MODISE INC

Dx - 7 - SANDTON SQUARE

Your Reference: I33187/D DI SIENA/A MOKDAD



Mr Danie Smithers - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Edenvale on 21/08/13

My Reference: 2013/20/14281.00 / MLO

Acting Sheriff Germiston North (J. G. Scheepers)
P O Box 1178, EDENVALE, 1610
Tel: (011) 452-8025
Fax: (011) 452-4409

IN THE HIGH COURT OF SOUTH AFRICA
(NORTH GAUTENG HIGH COURT.)

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL - 1ST AND THREE OTHER.

and

NEWSCLIP MEDIA MONITORING (PTY) LTD - 19TH

Applicant

and

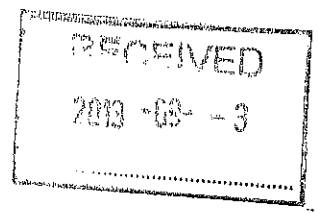
19th

Respondent

RETURN: SERVICE OF NOTICE OF MOTION, FOUNDING AFFIDAVIT BY GAIL DENISE LE GRELLIER AND ANNEXURES

IT IS HEREBY CERTIFIED:

That on the 20 August 2013 at 16h20 at JG STRYDOM AND SPRINGHAAS ROAD, WELTEVREDENPARK, ROODEPOORT being the registered address of NEWSCLIP MEDIA MONITORING (PTY) LTD - 19TH., a copy of the NOTICE OF MOTION, FOUNDING AFFIDAVIT BY GAIL DENISE LE GRELLIER AND ANNEXURES was served upon MR MAFONOKA, GUARD of NEWSCLIP MEDIA MONITORING (PTY) LTD - 19TH., after the original document was displayed and the nature and contents thereof explained to him. MR MAFONOKA a person apparently not less than sixteen years of age and in the employ of NEWSCLIP MEDIA MONITORING (PTY) LTD - 19TH. accepted service. Rule 4 (1)(a)(v).



SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
post/petties	20.00	1	20.00				
Registration & Return	32.50	1	32.50				
Travelling	3.50	28	98.00				
Urgent/After hours service	350.00	1	350.00				

TO:

Zero rated items	0.00
Sub-total	549.50
VAT	76.93
Total	626.43

Account No.: ROUTL00150
TO: EVERSHEDES (JHB)
 Dx - 7 SANDTON SQUARE

Your Reference: 133187/D DI SIENA/A MOKDAD

MR ANDRÉ VISAGIE - DEPUTY SHERIFF
 (Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)
 Signed at Roodepoort on 23/08/13
 My Reference: 2013/00/11722.00 / AMA

Sheriff Roodepoort
 P.O. Box 46, Roodepoort, 1725
 Tel: +27-11-760-1172/3
 Fax: +27-11-763-5092
 VAT No./BTW Nr. 4450152550

IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)

391

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

PROGRESSIVE PACKAGING PTY LTD

13th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on the 2013/08/20 at 14h50 at 5 LINKRIDGE EAST, JOHN AVE, BEDFORD PARK, GERMISTON NORTH being the registered address of PROGRESSIVE PACKAGING PTY LTD a copy of the Notice of Motion, Founding Affidavit of Gail Denise Le Grellier together with "GL1" up to and including "GL38" was served by affixing it to the principal door at registered address, as the premises was found locked. After a diligent search and enquiry, no other manner of service was possible at the given address. Rule 4(1)(a)(v).

Certified copy of original Documents returned herewith.

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Registration & Return	32.50	1	32.50				
Travelling	3.50	22	77.00				
Urgent Service	300.00	1	300.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	458.50
VAT	64.19
Total	522.69

Account No.: ROUTLED060

TO: ROUTLEDGE MODISE INC

Dx - 7 - SANDTON SQUARE

Your Reference: I33187/D DI SIENA/A MOKDAD


Mr. Fanie Gerber - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Edenvale on 21/08/13

My Reference: 2013/13/14281.00 / MLO

Acting Sheriff Germiston North (J. G. Scheepers)

P O Box 1178, EDENVALE, 1610

Tel: (011) 452-8025

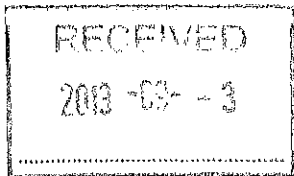
Fax: (011) 452-4409

Sheriff - Krugersdorp
MCM van der Merwe

T: 011 953 4070/1 | F: 086 211 0836 | E: kgd@sarpnet.info
Posbus 187 | Docex 8 KRUGERSDORP c/o Human & Kruger Straat (old ABSA building),
VAT: 4100147653

ROUTLEDGE MODISE ATT

Jameel Pastel
VAT # : .
T : 011 286 6900
F : 011 286 6901
Docex 7 SANDTON SQUARE



Case Number : 49616/13
Ref Number : I33187/D DI
SIENA/A MOKDAD
TAX Inv : KGD-13-18874
Inv Date : Aug, 21 2013

Plaintiff:	*LE GRELLIER GAIL & 2 OTHERS	Process Type:	Notice of Motion
Defendant :	EXPECTRA 89 (PTY) LIMITED (8TH)	Court :	HIGH COURT
Witness:	N/A	Clerk:	Pretoria
Appearance:	N/A	Place:	Pretoria
Address:	34 Boland Street Sonnedale, Honeydew *Registered Address*	Area:	NORTH GAUTENG

Return / Service Summary

21 Aug 2013 - 11:15 - Antonio Da Silva

I CERTIFY THAT ON THE 21ST DAY OF AUGUST 2013 AT 11H15
I SERVED THE ANNEXED NOTICE OF MOTION, FOUNDING AFFIDAVIT, TOGETHER WITH ANNEXURES
GL1, GL2, GL3, GL4, GL5, GL6, GL7, GL8, GL9, GL10, GL11, GL12, GL13, GL14, GL15, GL16, GL17, GL18,
GL19, GL20, GL21, GL22,, GL23, GL24, GL25, GL26, GL27, GL28, GL29, GL30, GL31, GL32, GL33, GL34,
GL35, GL36, GL37, GL38, GL39 BY AFFIXING A COPY THEREOF TO THE MAIN DOOR AT THE REGISTERED
ADDRESS OF THE JURISTIC PERSON.

REMARKS:- ACCORDING TO EDWARD VAN NIEKERK, THE COMPANY LEFT THE ADDRESS DURING
FEBRUARY 2012.

SIGNED AT KRUGERSDORP ON THIS 21ST DAY OF AUGUST 2013

Sheriff Fees: Table C Part II / Rule 68

	QTY	PRICE	TOTAL
REGISTRATION (Rule 68 (1))	1	R7.00	R7.00
RETURN (Rule 68 (7))	1	R25.50	R25.50
SERVICE - urgent (Rule 68 (2))	1	R96.00	R96.00
ANNEXURE (Rule 68(2)(a))	39	R7.00	R273.00
E-mail; (Rule 68 (4))	1	R3.00	R3.00
TRAVEL Rule 68 5(c)(xvi))	1	R105.00	R105.00
DOCEX (Rule 68 (4))	1	R18.68	R18.68
SUBTOTAL = R 528.18		14% VAT = R 73.95	TOTAL = R 602.13

**NORTH GAUTENG HIGH COURT
PRETORIA**

Case No – Saak No

49616/13

In the matter between:

LE GRELLIER GAIL
AND OTHERS

1ST APPLICANT

and:


PETROMARK (PTY) LIMITED
AND OTHERS

21ST RESPONDENT

Return in accordance with the provisions of the Supreme Court Act 59 of 1959, as amended

On this 21st day of August 2013 at 09:11 I properly executed a copy of the NOTICE OF MOTION on MS. MOOLMAN, THE PAYROLL OFFICER, a responsible person in the employ of the GARNISHEE at the place of business of the GARNISHEE at 2 FOREMAN ROAD, SPARTAN EXT 3, KEMPTON PARK after plaining the nature and contents thereof to the said person.

PS: The original return together with the original abovementioned process is despatched to the mandator.

Sheriff Fees jugelde	Date Datum	23.08.2013	Tax Invoice Number Belastingfaktuur Nr.	I 712027																																								
<table border="1"> <thead> <tr> <th>Description.....</th> <th>Qty</th> <th>Vat</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>REGISTRATION</td> <td>1</td> <td>0.98</td> <td>7.00</td> </tr> <tr> <td>RETURN</td> <td>1</td> <td>3.57</td> <td>25.50</td> </tr> <tr> <td>SERVICE</td> <td>1</td> <td>6.86</td> <td>49.00</td> </tr> <tr> <td>TRAVELLING</td> <td>12</td> <td>5.88</td> <td>42.00</td> </tr> <tr> <td>TAX INVOICE</td> <td>1</td> <td>0.42</td> <td>3.00</td> </tr> <tr> <td>URGENT FEE</td> <td>1</td> <td>56.00</td> <td>400.00</td> </tr> <tr> <td>NECESSARY SECURITY PROTECTIO</td> <td>1</td> <td>0.70</td> <td>5.00</td> </tr> <tr> <td>POSTAGE & ENVELOPE</td> <td>1</td> <td>0.00</td> <td>45.00</td> </tr> <tr> <td>VAT / BTW</td> <td></td> <td></td> <td>74.41</td> </tr> </tbody> </table>			Description.....	Qty	Vat	Amount	REGISTRATION	1	0.98	7.00	RETURN	1	3.57	25.50	SERVICE	1	6.86	49.00	TRAVELLING	12	5.88	42.00	TAX INVOICE	1	0.42	3.00	URGENT FEE	1	56.00	400.00	NECESSARY SECURITY PROTECTIO	1	0.70	5.00	POSTAGE & ENVELOPE	1	0.00	45.00	VAT / BTW			74.41	<p>M. GOMES Deputy Sheriff</p> <p>EP Malan Sheriff ♦ Balju Kempton Park Suid ♦ South</p> <p>Tel: 011 394 1905 Fax: 011 394 3990 Docex 5 Kempton Park Posbus 10115 PO Box Aston Manor 1630 email sheriffkps@telkomsa.net</p>	
Description.....	Qty	Vat	Amount																																									
REGISTRATION	1	0.98	7.00																																									
RETURN	1	3.57	25.50																																									
SERVICE	1	6.86	49.00																																									
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URGENT FEE	1	56.00	400.00																																									
NECESSARY SECURITY PROTECTIO	1	0.70	5.00																																									
POSTAGE & ENVELOPE	1	0.00	45.00																																									
VAT / BTW			74.41																																									
VAT Reg No. BTW Reg Nr.	4130104286	You may require this account to be taxed and vouched before payment. U kan vereis dat hierdie rekening getakseer en gestaaf word voor betaling		Total Totaal	650.91																																							
ROUTLEDGE MODISE INCORPORATED DX 7 SANDTON SQUARE			Account No. ♦ Rekening Nr. Your Reference ♦ U Verwysing My Reference ♦ My Verwysing		5571 VatReg 4430134611 I33187/D DI SIENA/A																																							
			Ret: 718001/KARLIEN/1																																									
Registrar: PRETORIA																																												

**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court, Pretoria)**

394

Case No. 2013/49616

In the matter between:

LE GRELLIER GAIL (1ST) BOTHA RENIER (2ND)
LEPAR DAVID (3RD) SMITH CAREL

Applicant

and

HANSEN TRANSMISSIONS PTY LTD

26th Respondent

RETURN: SERVICE OF NOTICE OF MOTION AND ANNEXURES

IT IS HEREBY CERTIFIED:

That on 21 August 2013 at 13h16 at 14 GRIFFITHS RD, JETPARK, BOKSBURG, 1460 being the REGISTERED ADDRESS of HANSEN TRANSMISSIONS PTY LTD, a copy of the Notice of Motion, FOUNDING AFFIDAVIT and Annexures was served to RECEPTIONIST MRS LUNGIE KUNENE a responsible employee of HANSEN TRANSMISSIONS PTY LTD, after the original document was displayed and the nature and contents thereof explained to her. MRS KUNENE a person apparently not less than sixteen years of age and in the employ of HANSEN TRANSMISSIONS PTY LTD accepted service. Rule 4[1](a)(v).

ERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00	Urgent Service	200.00	1	200.00
Registration & Return	32.50	1	32.50				
Letter	12.50	1	12.50				
Postage	2.46	1	2.46				
Telephone - Received / Made	7.00	1	7.00				
Telephone - actual costs	2.00	1	2.00				
Travelling.	3.50	40	140.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	445.46
VAT	62.36
Total	507.82

Account No.: MROUTL00111

TO: ROUTLEDGE MODISE ATTORNEYS (S.A.)

Dx - 7 SANDTON SQUARE

Your Reference: 133187



Mr Cecil Rynveldt - URGENT - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Boksburg on 22/08/13

My Reference: 2013/26/18877.00 / MER

Sheriff Boksburg - VP Maluleke

P.O. Box 33 Boksburg 1460

Tel: +27-11-917 9923/4

Fax: +27-11-892 4862

VAT No./BTW Nr.: 4620261976

In the North Gauteng High Court of South Africa
(Pretoria)

Case Ref. 49616/2013



Sheriff Ref. 13/08/1410



In the matter between :
Me Grekkier Gail and three others
And
Affrim Marketing Services (Pty) Limited

Applicant

2nd Respondent

SERVICE Notice of Motion with Founding Affidavit and Annexures

This is to certify that on the 21 August 2013 at 11:26 at 7 Pam Road, Morningside Ext 5, Johannesburg being the registered address of Affrim Marketing Services (Pty) Limited, a copy of the Notice of Motion with Founding Affidavit and Annexures was duly served upon Mrs Meyer, Manager a responsible person, apparently not less than sixteen years of age after the original document had been shown and the nature and contents thereof explained to the said person.
Rule 4(1)(a)(v).

Mr JDH Du Bruyn
(Duly appointed in terms of section 6(1) of the Sheriff's Act 90/1986)
Signed at Sandton South - 22 August 2013

Tax Invoice Number : IN13-17934

Client #: ROU0001
Routledge Modise Attorneys
P O BOX 78333 SANDTON CITY 2146
7 Sandton Square
V.A.T. # : 4430134611
Email: collinm@rmlaw.co.za
133187/D Di Siena/A Mokdad

Acting Sheriff Sandton South
Private Bag X9903 Sandton 2146
Tel : 081 031 3334/45 Fax : 086 578 2222
reception@sheriffss.co.za
VAT#: 4650133343 Docex 127 Randburg
First National Bank branch:Wierda Valley code:260950
Acc#:6237 9820 733 Business(Cheque) Account

Sheriff Charges/Expenses		Invoice Date : 22/08/2013	
Description	Tariff	Qty	Amount
Service	49.00	1	49.00
Travelling	3.50	68	238.00
Telephone	30.00	1	30.00
Postage	10.90	1	10.90
Registration	7.00	1	7.00
Return	25.50	1	25.50
Urgent	400.00	1	400.00
Sub-Tot :			R 760.40
V.A.T. :			R 104.93
Total :			R 865.33

You may require this account to be taxed and vouched before payment

Prepared by Pro-Sheriff Suite

In the North Gauteng High Court of South Africa
(Pretoria)

Case Ref. 49616/2013



Sheriff Ref. 13/08/1411



In the matter between :
Me Grekkier Gail and three others
And
Dr Gebka Hellig & Klug Inc

Applicant

5th Respondent

SERVICE Notice of Motion with Founding Affidavit and Annexures


On the 21 August 2013 at 09:12 at 20 Cestrum Avenue, Morningside Ext 40, Johannesburg , being the registered address of the defendant Dr Gebka Hellig & Klug Inc. I duly served a copy of the Notice of Motion with Founding Affidavit and Annexures by affixing copies of the abovementioned documents to the outer and principal door of the said premises. No other services possible after diligent search at the given address. Rule 4(1)(a)(v).

Mr JDH Du Bruyn

(Duly appointed in terms of section 6(1) of the Sheriff's Act 90/1986)

Signed at Sandton South - 22 August 2013

Tax Invoice Number : IN13-17935

Client #: ROU0001 Routledge Modise Attorneys P O BOX 78333 SANDTON CITY 2146 7 Sandton Square V.A.T. # : 4430134611 Email: collinm@rmlaw.co.za I33187/D Di Siena/A Mokdad 	Sheriff Charges/Expenses Invoice Date : 22/08/2013		
	Description	Tariff	Qty
Service	49.00	1	49.00
Registration	7.00	1	7.00
Return	25.50	1	25.50
Sub-Tot :			R 81.50
V.A.T. :			R 11.41
Total :			R 92.91
Acting Sheriff Sandton South Private Bag X9903 Sandton 2146 Tel : 081 031 3334/45 Fax : 086 578 2222 reception@sheriffss.co.za VAT#: 4650133343 Docex 127 Randburg First National Bank branch:Wierda Valley code:260950 Acc#:6237 9820 733 Business(Cheque) Account			
You may require this account to be taxed and vouched before payment			

Prepared by Pro-Sheriff Suite

In the North Gauteng High Court of South Africa
(Pretoria)

397
(P 1 / 1)

Case Ref. 49616/2013



Sheriff Ref. 13/08/3117



In the matter between :
Le Grellier Gail & 2 Other's
And
Dr Ritz Inc

Applicant's

6th respondent

SERVICE Notice of Motion with Founding Affidavit and Annexures

This serves to confirm that the documents herein were served urgently as instructed in your letter of the 21st August 2013.

Mr J Mahamba

(Duly appointed in terms of Sec. 6(1) of the Sheriff's Act 90/1986)

Signed at Halfwayhouse-Alexandra - 22 August 2013

Client #: ROU0012 Routledge Modise PO BOX 78333 Sandton City 2146 DX 7 Sandton Square V.A.T. #: 4430134611 Email: 133187 	Sandton	Sheriff Charges/Expenses	Invoice Date : 22/08/2013		
		Description	Tariff	Qty	Amount
		Urgent	350.00	1	350.00
			Sub-Tot :		R 350.00
			V.A.T. :		R 49.00
			Total :		R 399.00
TC Siebert, Sheriff Halfwayhouse-Alexandra P.O. Box 2756 Halfway House 1685 Tel: 011 3151407/39/40 Fax: 086 750 7767 allah@shha.co.za VAT#: 4650133343 Docex 6 Halfway House Nedbank Nethill 149745 1497137721 Current(Cheque) Account					

You may require this account to be taxed and vouched before payment

398
(P 1 / 1)

In the North Gauteng High Court of South Africa
(Pretoria)

Case Ref. 49616/2013



Sheriff Ref. 13/08/3190



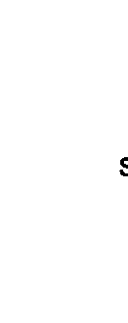
In the matter between :
Le Grellier Gail & 2 Other's
And
Ultra Litho (Pty) Limited

Applicant's

18th Respondent

SERVICE Notice of Motion with Founding Affidavit and Annexures

This serves to confirm that the documents herein were served urgently as instructed in your letter of the 21st August 2013.



Mr J Mahamba

(Duly appointed in terms of Sec. 6(1) of the Sheriff's Act 90/1986)
Signed at Halfwayhouse-Alexandra - 22 August 2013

Tax Invoice Number : IN13-31717

Client #: ROU0012 Routledge Modise PO BOX 78333 Sandton City 2146 DX 7 Sandton Square V.A.T. # : 4430134611 Email: <div style="text-align: center;">133187 </div>	Sandton	Sheriff Charges/Expenses		Invoice Date : 22/08/2013			
		Description	Tariff	Qty	Amount		
		Urgent	350.00	1	350.00		
			Sub-Tot :		R 350.00		
			V.A.T. :		R 49.00		
			Total :		R 399.00		
TC Siebert, Sheriff Halfwayhouse-Alexandra P.O. Box 2756 Halfway House 1685 Tel: 011 3151407/39/40 Fax: 086 750 7767 ullah@shha.co.za VAT#: 4650133343 Docex 6 Halfway House Nedbank Nethill 149745 1497137721 Current(Cheque) Account						You may require this account to be taxed and vouched before payment	

Prepared by Pro-Sheriff Suite



In the matter between :
Me Grekkier Gail and three others
And
Dell Computer (Pty) Limited

Applicant
16th Respondent

SERVICE Notice of Motion with Founding Affidavit and Annexures

This is to certify that on the 21 August 2013 at 09:45 at The Campus, Wembly Buidling, Cnr Main & Sloane Street, Bryanston, Johannesburg being the registered address of Dell Computer (Pty) Limited, a copy of the Notice of Motion with Founding Affidavit and Annexures was duly served upon Ms M Segone, Manager a responsible person, apparently not less than sixteen years of age after the original document had been shown and the nature and contents thereof explained to the said person.
Rule 4(1)(a)(v).

Mr E Coetzee

(Duly appointed in terms of section 6(1) of the Sheriff's Act 90/1986)

Signed at Sandton South - 21 August 2013

Tax Invoice Number : IN13-17866

Client #: ROU0001 Routledge Modise Attorneys P O BOX 78333 SANDTON CITY 2146 7 Sandton Square V.A.T. #: 4430134611 Email: collinm@rmlaw.co.za I33187/D Di Siena/A Mokdad 	Sheriff Charges/Expenses		Invoice Date : 21/08/2013	
	Description	Tariff	Qty	Amount
	Service	49.00	1	49.00
	Telephone	7.00	2	14.00
	Postage	10.90	1	10.90
	Registration	7.00	1	7.00
	Return	25.50	1	25.50
	Urgent	400.00	1	400.00
	Sub-Tot :			R 506.40
	V.A.T. :			R 70.90
	Total :			R 577.30

Acting Sheriff Sandton South
Private Bag X9903 Sandton 2146
Tel : 081 031 3334/45 Fax : 086 578 2222
reception@sheriffss.co.za
VAT#: 4650133343 Docex 127 Randburg
First National Bank branch:Wierda Valley code:260950
Acc#:6237 9820 733 Business(Cheque) Account

You may require this account to be taxed and vouched before payment

Prepared by Pro-Sheriff Suite

**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court, Pretoria)**

400

Case No. 49616/13

In the matter between:

LE GRELLIER GAIL AND THREE OTHERS

Applicant

and

PRIMESERVEGROUP LIMITED

28th Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 22 August 2013 at 15h30 at GROUND FLOOR, VENTURE HOUSE,, 54 PETER PLACE,, BRYANSTON being the place of business of PRIMESERVEGROUP LIMITED, a copy of the NOTICE OF MOTION FOUNDING AFFIDAVIT undersigned by GAIL DENISE GRELLIER, ANNEXURES " GL1, GL2, GL3, GL4, GL5, GL6, GL7, GL8, GL9, GL10, GL11, GL12, GL13, GL14, GL15, GL16, GL17, GL18, GL19, GL20, GL21, GL22, GL23, GL24, GL25, GL26, GL27, GL28, GL29, GL30, GL31, GL32, GL33, GL34, GL35, GL36, GL37, GL38" was served to Kevin Cowley, HR Director a responsible employee of PRIMESERVEGROUP LIMITED, after the original document was displayed and the nature and contents thereof explained to him. Kevin Cowley a person apparently not less than sixteen years of age and in the employ of PRIMESERVEGROUP LIMITED accepted service. Rule 4[1](a)(v).

SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Registration & Return	30.00	1	30.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	79.00
VAT	11.06
Total	90.06

Account No.: RROUTL00111

TO: ROUTLEDGE MODISE ATTORNEYS (S.A.)

Dx - 7 SANDTON SQUARE

Your Reference: 133187/A MOKDAD/D DI SIENA



Mr. M. SNYMAN - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Randburg on 23/08/13

My Reference: 2013/28/25369.00 / RAM

Sheriff Randburg South West - Ms M.L. Lephadi

P.O. Box 1290 Ferndale 2160

Tel: +27-11-326 3559

Fax: +27-11-326 3599

VAT No./BTW Nr. 4680262658

401

**In the High Court of South Africa
(North Gauteng High Court, Pretoria)**

Case No. 49616/13

In the matter between:

G. LE GRELLIER & 3 OTHERS

Applicant

and

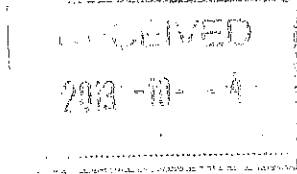
DEHTEQ (PTY) LIMITED (22ND RESPONDENT)

22nd Respondent

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on 28 August 2013 at 13h39 at 7 KYALAMI VILLAGE, 57 FORSSMAN CLOSE, BARBEQUE DOWNS X1, MIDRAND being the **registered address** of DEHTEQ (PTY) LIMITED (22ND RESPONDENT), a copy of the Notice of Motion was served to BRADLEY ROF, DIRECTOR a responsible employee of DEHTEQ (PTY) LIMITED, after the original document was displayed and the nature and contents thereof explained to him. BRADLEY ROF a person apparently not less than sixteen years of age and in the employ of DEHTEQ (PTY) LIMITED accepted service. Rule 4[1](a)(v).



SHERIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00	Urgent Service	350.00	1	350.00
Photo Copies	2.50	3	7.50				
Registration & Return	32.50	1	32.50				
Petties	11.00	1	11.00				
Postage (353X250mm)	10.90	1	10.90				
Additional document	6.00	1	6.00				
Travelling.	3.50	15	52.50				

TO: Registrar

Zero rated items	0.00
Sub-total	519.40
VAT	72.72
Total	592.12

Account No.: MROUTLE
TO: ROUTLEDGE MODISE ATTORNEYS
 Dx - 7 SANDTON SQUARE

Your Reference: I33187/D DI SIENA/A MOKDAD



NA Reed

Mr N A Reed - Deputy Sheriff

(Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)

Signed at Sandton on 29/08/13

My Reference: 2013/22/04494.00 / LT

Sheriff Sandton North - K I Mphahlele
 P.O. Box 1572 Randburg 2125
 Tel: 081 031 3332
 Fax: 086 618 5260
 VAT No./BTW Nr. TBA

**IN THE HIGH COURT OF SOUTH AFRICA
(North Gauteng High Court)**

402

Case No. 49616/2013

In the matter between:

LE GRELLIER GAIL & 3 OTHERS

Applicant

and

HESTICO (PTY) LIMITED

9th Respondant

and

RETURN: SERVICE OF NOTICE OF MOTION

IT IS HEREBY CERTIFIED:

That on the 14 AUGUST 2013 at 14h08 at 42 LEBOMBO STREET, ASHLEA GARDENS, being the principal place of business of MBD AUDITORS, a copy of the Notice of Motion FOUNDING AFFIDAVIT OF GAIL JONNIESE LE GRELLIER AND ANNEXURES was served upon ME E.O. SCHOEMAN - RECEPTIONIST, after the original document was displayed and the nature and contents thereof explained to him. ME E.O. SCHOEMAN a person apparently not less than sixteen years of age and in the employ of MBD AUDITORS accepted service. Rule 4(1)(a)(v).


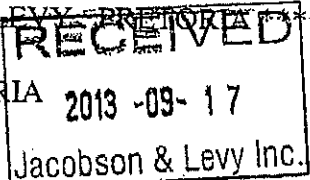
ERRIFF CHARGES/EXPENSES: (You may require that this account be taxed and vouched before payment)

Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
Service	49.00	1	49.00				
Registration & Return	33.00	1	33.00				

TO: THE REGISTRAR OF THE HIGH COURT, Pretoria

Zero rated items	0.00
Sub-total	82.00
VAT	11.48
Total	93.48

Account No.: 0JACOBS050
TO: JACOBSON & LEVY PRETORIA *****
 Dx - 52 PRETORIA
 2013-09-17
 Jacobson & Levy Inc.
 Your Reference: J LEVY/DB/L11752

Mrs Isabel Nieuwenhuys - Deputy Sheriff
 (Properly appointed in terms of Section 6(1) of the Sheriff's Act No. 90/1986)
 Signed at Pretoria on 19/08/13
 My Reference: 2013/09/15551.00 / ICH

Sheriff Pretoria South East
 P.O. Box 12526, Hatfield, 0028 Dx 40 Hatfield
 TEL: +27(12) 342 0706
 FAX: +27(12) 342 7138
 VAT No./BTW Nr. 4310201837

COPY

IN THE NORTH GAUTENG HIGH COURT, PRETORIA
(REPUBLIC OF SOUTH AFRICA)

In the matter between:	Case No: 49616/13
LE GRELLIER GAIL	1 st Applicant
BOTHA RENIER	2 nd Applicant
LEPAR DAVID	3 rd Applicant
SMITH CAREL	4 th Applicant
and	
LUKHAIMANE M.A N.O	1 st Respondent
AFFIRM MARKETING SERVICES (PTY) LIMITED	2 nd Respondent
BEEFMASTER (PTY) LIMITED	3 rd Respondent
H BIRKENMEYER (PTY) LIMITED	4 th Respondent
DR GEBKA HELBIG & KLUG INC.	5 th Respondent
DR RITZ INC	6 th Respondent
ETERNAL FLAME INVESTMENTS (PTY) LIMITED	8 th Respondent
HESTICO (PTY) LIMITED	9 th Respondent
HETTAS CC	10 th Respondent
CONVISTA CONSULTING (PTY) LIMITED	11 th Respondent
IBI TECHNOLOGY SOLUTIONS (PTY) LIMITED	12 th Respondent
PROGRESSIVE PACKAGING (PTY) LIMITED	13 th Respondent
WORLD CARGO SERVICES (PTY) LIMITED	14 th Respondent
CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED	15 th Respondent
DELL COMPUTER (PTY) LIMITED	16 th Respondent

THE BRAND UNION (PTY) LIMITED	17 th Respondent
ULTRA LITHO (PTY) LIMITED	18 th Respondent
NEWSCLIP MEDIA MONITORING (PTY) LIMITED	19 th Respondent
MIXTEC CC	20 th Respondent
PETROMARK (PTY) LIMITED	21 st Respondent
DEHTEQ (PTY) LIMITED	22 nd Respondent
WAVELENGTH 32 (PTY) LIMITED t/a INSALO COMMUNICATIONS	23 rd Respondent
PANORAMIC COPONETS (PTY) LIMITED	24 th Respondent
CHICKEN MANAGEMENT SERVICES (PTY) LIMITED	25 th Respondent
HANSEN TRANSMISSION (PTY) LIMITED	26 th Respondent
ENABLEMED (PTY) LIMITED	27 th Respondent
PRIMESERV GROUP LIITED	28 th Respondent
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS	29 th Respondent
JOHANNESBURG CHILD WELFARE SOCIETY	30 th Respondent
THE EMPLOYEES OF THE SECOND TO THIRTIETH RESPONDENTS WHO ARE MEMBERS OF THE IF UMBRELLA PROVIDENT FUND AND THE IF UMBRELLA PENSION FUND	31 st Respondent
IF UMBRELLA PROVIDENT FUND	32 nd Respondent
IF UMBRELLA PENSION FUND	33 rd Respondent

FILING SHEET

The First Respondent hereby files its Affidavit.

Dated at Woodmead on this 25th of September 2013



PRINCE MUDAU & ASSOCIATES (PM ATTORNEYS)
ATTORNEYS FOR THE 1ST RESPONDENT
C/O MATSHEGO RAMAGAGA ATTORNEYS
SECOND FLOOR
NEDBANK BUILDING
200 PRETORIOUS STREET
PRETORIA
TEL: (011) 079 6442
FAX: (086) 6950 882
REF: PM/PFA/012

TO: THE REGISTER OF THE ABOVE HONORABLE COURT
PRETORIA

AND TO: ROUTLEDGE MODISE INC.
ATTORNEYS FOR THE APPLICANTS
22ND FREDMAN DRIVE
SANTON
P O BOX 78333, SANTON CITY 2147
DOCEX 7 SANTON SQUARE
TEL: 011 523 6286
FAX: 086 743 2729
EMAIL: HUNTER@RMLAW.CO.ZA
REF: L33213/MR THYNE/MS DI SIENA

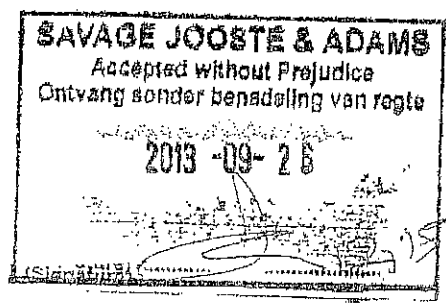
JACOBSON & LEVY INC
RECEIVED WITHOUT PREJUDICE
ONTVANG SONDER BENADELING
DATE: 26.09.2013
TIME: 17h27

AND TO: JONATHAN MORT INC
ATTORNEYS FOR THE SECOND TO THIRTY FIRST RESPONDENTS
(EXCLUDING 16TH RESPONDENT)
3A SIR GEORGE GREY STREET
ORANJEZICHT

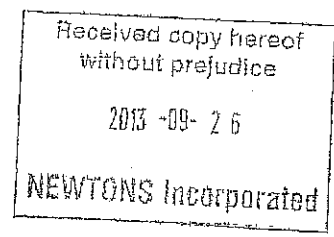
8001

BY REGISTERED MAIL

AND TO: DUNSTER & ASSOCIATES
 THE THIRTY SECOND & THIRTY THIRD RESPONDENTS
 C/O SAVAGE JOOSTE & ADAMS
 141 BOSHOFF STREET
 NIEW MUCKLENEUK
 PRETORIA
 TSK/PF/75738



AND TO: BROOKS & LUYT INC
 ATTORNEYS FOR THE 16TH RESPONDENT
 C/O NEWTONS INC
 2ND FLOOR (LOBBY 3) BROOKLYN FORUM BUILDING
 337 VEALE STREET
 BROOKLYN
 PRETORIA
 REF: I BREDENKAMP / B&L



12-00

W.S.L.

IN THE NORTH GAUTENG HIGH COURT, PRETORIA
(REPUBLIC OF SOUTH AFRICA)

CASE NO: 49616/13

In the matter between:

LE GRELLIER GAIL 1st APPLICANT

BOTHA RENIER 2nd APPLICANT

LEPAR DAVID 3rd APPLICANT

SMITH CAREL 4th APPLICANT

and

LUKHIMANE M.A N.O 1st RESPONDENT

AFFIRM MARKETING SERVICES (PTY) LIMITED 2nd RESPONDENT

BEEFMASTER (PTY) LIMITED 3rd RESPONDENT

H BIRKENMEYER (PTY) LIMITED 4th RESPONDENT

DR GEBKA, HELLIG & KLUG INC. 5th RESPONDENT

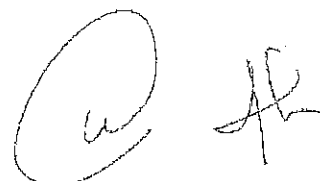
DR RITZ INC. 6th RESPONDENT

ETERNAL FLAME INVESTMENTS (PTY) LIMITED 7th RESPONDENT

EXPECTRA 89 (PTY) LIMITED 8th RESPONDENT

HESTICO (PTY) LIMITED 9th RESPONDENT

HETTAS CC	10 th RESPONDENT
CONVISTA CONSULTING (PTY) LIMITED	11 th RESPONDENT
IDI TECHNOLOGY SOLUTIONS (PTY) LIMITED	12 th RESPONDENT
PROGRESSIVE PACKAGING (PTY) LIMITED	13 th RESPONDENT
WORLD CARGO SERVICES (PTY) LIMITED	14 th RESPONDENT
CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED	15 th RESPONDENT
DELL COMPUTER (PTY) LIMITED	16 th RESPONDENT
THE BRAND UNION (PTY) LIMITED	17 th RESPONDENT
ULTRA LITHO (PTY) LIMITED	18 th RESPONDENT
NEWSCLIP MEDIA MONITORING (PTY) LIMITED	19 th RESPONDENT
MIXTEC CC	20 th RESPONDENT
PETROMARK (PTY) LIMITED	21 st RESPONDENT
DEHTEQ (PTY) LIMITED	22 nd RESPONDENT
WAVELENGTH 32 (PTY) LIMITED t/a INSALO COMMUNICATIONS	23 rd RESPONDENT
PANORAMIC COMPONENTS (PTY) LIMITED	24 th RESPONDENT
CHICKEN MANAGEMENT SERVICES (PTY) LIMITED	25 th RESPONDENT
HANSEN TRANSMISSION (PTY) LIMITED	26 th RESPONDENT



ENABLEMED (PTY) LIMITED

27th RESPONDENT

PRIMESERV GROUP LIMITED

28th RESPONDENT

THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS

29th RESPONDENT

JOHANNESBURG CHILD WELFARE SOCIETY

30th RESPONDENT

THE EMPLOYEES OF THE SECOND TO THIRTIETH
RESPONDENTS WHO ARE MEMBERS OF THE IF
UMBRELLA PROVIDENT FUND AND THE IF
UMBRELLA PENSION FUND

31st RESPONDENT

IF UMBRELLA PROVIDENT FUND

32nd RESPONDENT

IF UMBRELLA PENSION FUND

33rd RESPONDENT

FIRST RESPONDENT'S AFFIDAVIT

I, the undersigned:

MUVHANGO ANTOINETTE LUKHAIMANE

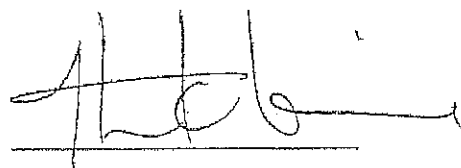
state under oath that:

1. I am the Pension Funds Adjudicator, appointed in terms of section 30C (1)(a) of the Pension Funds Act, 24 of 1956 ("the PFA"). I am the First Respondent in this matter. I am duly authorised to depose to this affidavit in my official capacity.



2. My office is a statutory body, established by Section 30B of the PFA. Its main function is to investigate and adjudicate complaints relating to the administration of pension funds, investment of funds, and the interpretation and application of pension fund's rules.
3. The Office of the Pension Funds Adjudicator is currently situated at Riverwalk Office Park, 41 Matroosberg Road, Ashlea Gardens, Menlyn, Pretoria.
4. The functions of my office are set out in Chapter VA of the PFA.
5. I, and my office, fulfill an investigative and adjudicative function with regard to complaints over which I have jurisdiction. I may make an order which a Court of law may make, in terms of Section 30E(1)(a) of the PFA.
6. Section 30P of the Pension Funds Act provides for any party aggrieved by the adjudicator's determination, to apply to the High Court for relief within 6 weeks from the date of determination. The Court may consider the complaint made to the Adjudicator, and the basis of the determination, and make any order it deems fit.
7. In these circumstances, my position is akin to that of a judicial officer whose ruling is appealed against or reviewed. I do not defend my determinations, nor do I have a right to do so.
8. I have read the applicant's founding papers. I respectfully submit that I do not have the intention to oppose this application. The reasons for my decision are clearly stated in the determination as annexed to the applicant's founding papers.
9. I will read the outcome or judgment and reasoning when the matter is finalised and abide by the decision of the Honourable Court.

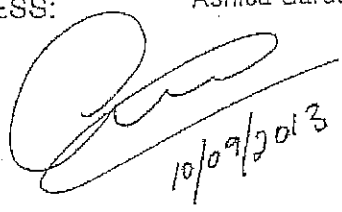
A handwritten signature in black ink, consisting of a large, stylized 'W' followed by a smaller 'A' and a flourish.



MA LUKHAIMANE

This affidavit was signed and sworn to by the deponent before me at Pretoria on this the 10th day of September 2013. The Deponent having acknowledged that she has read the affidavit, that she knows and understands the contents of the affidavit, that the contents of the affidavit are both true and correct and that she has no objection to taking the prescribed oath which she considers to be binding on her conscience.

COMMISSIONER ~~Advocate~~ Matome Thulare
EX OFFICIO: Commissioner of Oaths
Financial Services Board
FULL NAMES: EX OFFICIO: Advocate of the
High Court of South Africa
C/o Financial Services Board,
41 Matroosberg Road
ADDRESS: Ashlea Gardens - Pretoria


10/09/2013

IN THE NORTH GAUTENG HIGH COURT, PRETORIA
[REPUBLIC OF SOUTH AFRICA]

Case No: 49616/13

In the matter between:-

LE GRELLIER GAIL	First Applicant
BOTHA REINIER	Second Applicant
LEPAR DAVID	Third Applicant
SMITH CAREL	Fourth Applicant

and

LUKHIMANE M.A. N.O.	First Respondent
AFFIRM MARKETING SERVICES (PTY) LIMITED	Second Respondent
BEEFMASTER (PTY) LIMITED	Third Respondent
H BIRKENMEYER (PTY) LIMITED	Fourth Respondent
DR GEBKA, HELLIG & KLUG INC.	Fifth Respondent
DR RITZ INC.	Sixth Respondent
ETERNAL FLAME INVESTMENTS (PTY) LIMITED	Seventh Respondent
EXPECTRA 89 (PTY) LIMITED	Eight Respondent
HESTICO (PTY) LIMITED	Ninth Respondent
HETTAS CC	Tenth Respondent
CONVISTA CONSULTING (PTY) LIMITED	Eleventh Respondent
IDI TECHNOLOGY SOLUTIONS (PTY) LIMITED	Twelfth Respondent

r.p.
DPK

PROGRESSIVE PACKAGING (PTY) LIMITED	Thirteenth Respondent
WORLD CARGO SERVICES (PTY) LIMITED	Fourteenth Respondent
CONDUIT RISK AND INSURANCE HOLDINGS (PTY) LIMITED	Fifteenth Respondent
DELL COMPUTERS (PTY) LIMITED	Sixteenth Respondent
THE BRAND UNION (PTY) LIMITED	Seventeenth Respondent
ULTRA LITHO (PTY) LIMITED	Eighteenth Respondent
NEWSCLIP MEDIA MONITORING (PTY) LIMITED	Nineteenth Respondent
MIXTEC CC	Twentieth Respondent
PETROMARK (PTY) LIMITED	Twenty-First Respondent
DEHTEQ (PTY) LIMITED	Twenty-Second Respondent
WAVELENGTHS 32 (PTY) LIMITED t/a INSALO COMMUNICATIONS	Twenty-Third Respondent
PANORAMIC COMPONENTS (PTY) LIMITED	Twenty-Fourth Respondent
CHICKEN MANAGEMENT SERVICES (PTY) LIMITED	Twenty-Fifth Respondent
HANSEN TRANSMISSIONS (PTY) LIMITED	Twenty-Sixth Respondent
ENABLEMED (PTY) LIMITED	Twenty-Seventh Respondent
PRIMESERV GROUP LIMITED	Twenty-Eight Respondent
THE CHURCH OF JESUS CHRIST OF THE LATTER-DAY SAINTS	Twenty-Ninth Respondent
JOHANNESBURG CHILD WELFARE SOCIETY	Thirtieth Respondent
THE EMPLOYEES OF THE SECOND TO THIRTIETH RESPONDENTS WHO ARE MEMBERS OF THE IF UMBRELLA PROVIDENT FUND AND THE IF UMBRELLA PENSION FUND	Thirty-First Respondent

T.P.
JPK

IF UMBRELLA PROVIDENT FUND

Thirty-Second
Respondent

IF UMBRELLA PENSION FUND

Thirty-Third
Respondent

AFFIDAVIT

I, the undersigned,

FRANCISCO JABULANE KHOZA

do hereby make oath and state that:

1. I am an adult male and a member of the board of trustees of the thirty-second and thirty-third respondents, referred to collectively as the "*the Funds*".
2. I am duly authorised to depose to this affidavit on behalf of the Funds.
3. The contents of this affidavit are, unless the context indicates otherwise, within my personal knowledge and belief, and are true and correct. To the extent that I may depose to facts which are not within my personal knowledge, I have indicated the source of my information, and I state that I believe such facts to be true and correct. To the extent that I may make submissions of a legal nature in this affidavit, I do so

T.P.
JK

on the advice of the Funds' legal representatives, which advice I believe to be correct.

Background

- 4. The Funds have elected to abide this court's ruling. The Funds do, however, wish to inform the court of their stance in relation to the application by means of this affidavit. In particular, the Funds submit that, if this Court is inclined to grant relief to the applicants, then the most appropriate order would be in accordance with the alternative relief claimed by the applicants, viz. that this matter be referred back to the first respondent, either with directions and/or for oral evidence.

Summary of the Funds' stance

- 5. The determination which the applicants' seek to have set aside is the second determination made by the first respondent in terms of section 30M of the Pension Funds Act, 1956 (*"the Act"*) on 3 July 2013 (*"the second determination"*).
- 6. As expressed in section 30D of the Act, the primary object of the first respondent is to dispose of complaints lodged in terms of section 30A(3) of the Act in a procedurally fair, economical and expeditious manner.

*T.P.
SFK*

7. The Office of the Pension Funds Adjudicator was intended to operate on the basis of a simple, cost effective process that encourages and empowers complainants to exercise their legal rights.

8. The Funds endorse the view propounded by the first respondent that there was indeed significant maladministration of the Funds, but they hold the view that the boards of the Funds were empowered by the Funds' rules to authorise deductions of the nature required for the rebuild, and that this matter should be referred back to the adjudicator, for the following reasons:
 - 8.1. The applicants' decision, along with other trustees (board members) to authorise the rebuild was, in light of the nature and extent of the maladministration, justified and appropriate;

 - 8.2. The first respondent's rationale for holding the applicants liable is however fundamentally flawed as it assumes that liability for maladministration lies or may lie with members of the board of the Funds who authorised the rebuild, rather than those who presided when the maladministration occurred;

 - 8.3. Seemingly for the above reason, the first respondent has neglected to investigate all the relevant trustees, or other persons or entities, who may have been responsible for the maladministration.

T.P.
BAC

9. Accordingly, it is the Funds' view that, if the Court is inclined to grant relief to the applicants, then the most appropriate order in the circumstances is for the matter to be remitted for reconsideration by the first respondent, with directions to hear oral evidence (which is in accordance with the alternative relief claimed by the applicants) on certain specified issues, in particular pertaining to responsibility for the maladministration.

The complaint and the first determination

10. The complaint upon which this matter is based was filed by the second to thirty-first respondents (*"the complainants"*) on 3 May 2011. The complainants are all members, or employees of members, participating in the Funds. The main aim of the Funds is to provide benefits for its members, or member's employees, when they retire from employment. The Funds are defined contribution funds.
11. The applicants were the members of the boards of the Funds during the period July 2008 to August 2010 (the first and second applicants had been members of the previous boards since September 2006 and March 2006 respectively). The applicants in fact comprised the boards of trustees across four different Funds during this period: the Funds themselves (the thirty-second and thirty-third respondents); the Dynam-ique SA Umbrella Pension Fund and the Dynam-ique SA Umbrella Provident Fund (*"the Dynam-ique Funds"*). (The complainants are only members of the former, the Funds, but the maladministration which forms the basis of the complaint relates to all four Funds, and the

T.P.
JAC

outcome of this matter may therefore have ramifications for the Dynam-ique Funds as well.)

- 12. In July 2010 the applicants resolved to debit each member's share by 2.5% to fund the cost of a rebuild of the Funds' records ("the deduction"), as the applicants had determined that the Funds' records were unreliable and inaccurate.

- 13. I attach as annexure "FJK1" a copy of the communication distributed by the Funds (at the time when the first to third applicants were board members of the Funds, the fourth applicant having resigned in August 2010), dated 1 November 2010. It indicates that a rebuild of the Funds records was to be conducted by Deloitte, and that the rebuild would be conducted for the period up to 1 February 2008. 1 February 2008 is the date upon which Aon South Africa (Pty) Ltd ("Aon") took over the administration of the Funds from Dynam-ique SA Consultants and Actuaries (Pty) Ltd ("Dynam-ique") in terms of s13 of the Act.

- 14. The Funds instituted actions against Dynam-ique, Mr Tony Kamionsky (a previous trustee and managing director of Dynam-ique; he was sued in both capacities), and Aon. However, as appears from the complaint, the complainants were concerned that there would not be a full recovery for the deduction arising from these actions, and asked the first respondent to hold the applicants or any previous board

a.p.
D.K.C.

members/trustees accountable for the cost of the rebuild exercise should they have caused such maladministration.

15. I mention that the complainant's concerns that the above actions will not provide a full recovery are probably justified. Furthermore, arising from issues identified by the Funds' auditors, the Funds' insurance cover was qualified during the applicants' tenure and effectively excluded any claim related to the rebuild of members' records.

16. The Funds' response to the complaint (represented by a new board) appears at GL27 and was submitted to the first respondent on 3 August 2011. The Funds have subsequently concluded a settlement agreement with Dynam-ique and Kamionsky in terms of which a total of R1 million was paid to the Funds in full and final settlement of the Funds' claims against these entities. This settlement agreement was agreed upon after considerable reflection by the trustees, and determined to be in the best interests of the Funds' members.

17. The action against Aon continues under case number 16265/2011 in the Johannesburg High Court. Aon have not been sued on the basis that they caused maladministration prior to 1 February 2008, but on the basis that:

Y.P.
[Handwritten signature]

17.1. As no due diligence was conducted when purchasing the pension fund business, and the transaction being inadequately insured, the prospects of the Funds recovering fully, were severely prejudiced; and

17.2. Aon further undertook to rectify the errors in the records when they assumed the administration of the Funds on 1 February 2008.

Problems with the determination by the first respondent.

18. In considering the complaint and whether maladministration had taken place, and who was responsible, the first respondent ought to have, firstly, considered the appropriate time period in question.

19. The deduction was made to facilitate a rebuild of member records from the date of the commencement of the Funds, being 1 January 2004, to 1 February 2008. During this period there were two different administrators, Dynam-ique and Integrated Futures (Pty) Ltd ("*Integrated*"). Although the failure by Aon after 1 February 2008 to rectify the records is a further issue, and indeed it would seem that the situation of the members' records was further exacerbated after 1 February 2008, the complainants have complained in relation to the cost of the rebuild which was incurred to rebuild records to 1 February 2008, and accordingly maladministration which may have occurred after 1 February 2008 must be beyond the scope of the complaint.

2. P
J.P.

20. Secondly, the first respondent should have considered previous trustees / board members who sat on the board during the relevant time period. The complaint was directed against the then incumbent trustees as at 3 May 2011 and any previous trustees of the Funds. The Funds, in their response, provided the first respondent with a list of the tenure of office of all previous trustees from the inception of the Funds, a copy of which is again attached as annexure "FJK2", further an even more detailed table is provided below for ease of reference:

Time Periods	Boards of Trustees				Comments
Jan 2004 - Sept 2006		Jager	Rosen	Mol	Period to which 2.5% deduction was applied to rebuild of the Funds records
Mar 2006 Sept 2006	Botha	Jager	Rosen	Mol	
Sept 2006 Nov 2007	Botha	Kamionsky	Le Grellier	Murewa	
Nov 2007 Feb 2008	Botha	Kamionsky	Le Grellier	Stolterfoht	
Feb 2008 July 2008	Botha		Le Grellier	Stolterfoht	Aon commences Administration
July 2008 Aug 2010	Botha	Smith	Le Grellier	Lepar	Period during which decision was made by applicants July 2010
Aug 2010 - Dec 2010	Botha		Le Grellier	Lepar	
Dec 2010 - Feb 2011	Botha	Stuart	Le Grellier	Lepar	
Feb 2011 - Apr 2011	Rollason	Stuart	Welham	Bredenkamp	Complaint dated April 2011

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21. It is quite clear from the above that the trustees whose potential liability should be considered are:

21.1 Jager,

21.2 Mol,

21.3 Rosen,

21.4 Botha,

21.5 Kamionsky,

21.6 Le Grellier,

21.7 Murewa,

21.8 Stolterfoht.

22. It must also be noted that the third and fourth applicants were not in office during the relevant period. They were only appointed as trustees on 8 July 2008 i.e. after the period to which the rebuild exercise relates.

23. It would appear that the sole basis that the first respondent found the third and fourth applicants liable was purely by virtue of them being on the boards of Funds when the decision to make the deduction to fund the rebuild was made. On the stance adopted by the Funds there is accordingly no basis for the third and fourth applicants to be held liable on the complaint. The Funds however abide the decision of this Court in this regard.

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24. The position of the first and second applicant is, however, different in that they were in office on the boards of the Funds during the relevant period, from at least March 2006 to February 2011, and from at least September 2006 to February 2011 respectively, a period of over four years each.

The Funds' appeal against the first determination

25. The first respondent delivered its first determination on the complaint on 31 July 2012, annexure GL28. The *ratio* for the ruling was that the deduction was not authorised. The IF Funds were ordered to credit members with the 2.5% deduction to compensate members.
26. This ruling presented two problems. Firstly it was clear the deduction to fund the rebuild was authorised in terms of the Funds' rules.
27. Secondly, the Funds could not simply credit fund values without a matching increase in the underpinning asset values upon which the fund values were calculated, and so the determination could simply not be implemented. As the Funds submitted in their appeal, "the effect of this order is that the Funds must compensate themselves... The Funds do not have any other assets except the assets they hold which are equal to the members' Fund Credits".
28. The Funds successfully obtained an order setting aside the first determination and referring the matter back to the first respondent

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(annexure at GL29 to the founding affidavit). The order made was not supported by any written judgment., but it is respectfully submitted that the order can only mean that the Court accepted that the deduction was lawfully made and hence directed the first respondent to: *"enable the complainants in the complaint to pursue relief against only the former trustees of the Applicants for breach of their statutory and fiduciary duties owed to the Applicants"*.

29. The Funds respectfully submit that the above order accordingly contemplated a comprehensive examination of whether - and the extent to which - former trustees/board members had breached their statutory and fiduciary duties.

The second determination

30. The second determination returned by the first respondent on 3 July 2013, annexure "GL38", concludes, as a matter of fact, that:

24.1 The deduction was made to fund the cost of the rebuild process which was a result of maladministration of the funds;

24.2 Dynam-ique did not keep proper records or administer the funds in accordance with its agreement with the funds; and

24.3 The Funds' lack of accurate member records and data regarding the members' fund values constituted the main reason for the appointment of auditors to rebuild the Funds' data and records.

CR
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