



MAPONYA

ATTORNEYS AT LAW

Reg: 2001/024379/21
Vat: 4170205563

950 Pretorius Street,
Arcadia,
Pretoria

P O Box 13659
The Tramshed
0126

Docex 184, Pretoria

Phone: +27 (0) 12 342 0523

Telefax: 086 720 5335

E-mail: kgabo@maponya.co.za;
Web: www.maponya.co.za

Our Reference: BR
RANGATA/KP0314

Your Reference: GvanNiekerk/E
Brand)

Date: 26 October 2016

AI

EDWARD NATHAN SONNENBERGS

c/o FRIEDLAND HART SOLOMON AND NICOLSON

(Ref: G Painter/335509)

BY EMAIL

Dear Sirs

PROXI SMART SERVICES (PTY) LTD / THE LAW SOCIETY OF SOUTH AFRICA AND 4 OTHERS

(CASE NUMBER: 74313/2016, GAUTENG DIVISION, PRETORIA)

1. We refer to the telephonic conversation of 24 October 2016, between Ms E Brand and our Mr K P Maponya.
2. Our client is happy that your client accept the fact that the application is not urgent. As a result thereof, we acknowledge receipt of your client's Notice of

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting; P B Rangata B.Proc, LLB; C Kotze, LLB; K Mogashoa, LLB; L Koen, LLB; K P Maponya LLB; Professional Assistants: N W Maodi LLB; S Malla, LLB; M Monama, LLB; L Nemakwarani, LLB; P Ledwaba, LLB; A Griesel, LLB ; D de Agrella LLB; M Maphutha LLB Conveyancer: S. Veerasamy, LLB; Office & Finance Manager: M J Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.

Removal of the application from the motion roll.

- in We consulted with client yesterday and is of the opinion that the application should be dealt with as a special application and be enrolled in the Third Motion Court. Client is of the opinion that the outcome of this application will have serious legal implications for the entire legal profession as we know it to date, hence the request for an extended period within which to file the answering affidavit.
4. Given the nature of the case and its impact on the legal profession and more specifically the amount of work required to prepare a proper answering affidavit, client is of the view that it is not feasible to file an answering affidavit within the fifteen (15) days, as stated in the Rules of the Court.
 5. Client, therefore, proposes that a formal application be made to the Deputy Judge President to request timeframes within which pleadings could be exchanged between the parties including the date of hearing.
 6. We hold instructions in the meantime to request your client to join the following bodies or institutions:
 - 6.1 Cape Law Society;
 - 6.2 the Kwa Zulu Natal Law Society;
 - 6.3 Law Society of the Free State;
 - 6.4 Law Society of the Northern Provinces;
 - 6.5 the Black Lawyers Association; and
 - 6.6 National Association of Democratic Lawyers.
 7. The above mentioned law societies have a direct and substantial interest in the matter as independent statutory bodies. The LSSA is a voluntary association and does not exercise any authority in terms of regulating the respective statutory law societies. It follows, therefore, that the joinder of these organisations may be necessary in dealing with this application in its entirety.

8. Client therefore proposes the following:

8.1 be granted by your client an indulgence for a period not exceeding six (6) months from date of this letter to file the answering affidavit. To enable client to file the answering papers, client will be required to:

8.1.1 conduct the necessary research on all points of law including social and public interest issues raised by your client;

8.1.2 consult with all law societies referred to in paragraph 6.1 to 6.6, to get their inputs amongst the others;

8.1.3 secure the availability of both Junior and Senior Counsel to assist in this matter. Client is of the opinion that a number of experts from various fields of expertise will be required; and

8.1.4 obtain services of a number of experts from various fields to respond to a number of issues raised in your client's founding papers.

9. Notwithstanding the above indulgence request, client will at all times ensure that this matter is dealt with expeditiously and all facts, evidence and the research outcomes will be placed before the Court to enable it to arrive at an appropriate decision.

10. We hope your client will understand and appreciate reasons why client is requesting the six (6) months indulgence to file its answering affidavit outside the normal court days as required by the Rules of the High Court.

11. We await your positive response.

YOURS FAITHFULLY

MAPONYA INCORPORATED

Per: Phatudi Maponya (Mr.)

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting; P B Rangata B.Proc, LLB; C Kotze, LLB; K Mogashoa, LLB; L Koen, LLB; K P Maponya LLB; Professional Assistants: N W Maodi LLB; S Malla, LLB; M Monama, LLB; L Nemakwarani, LLB; P Ledwaba, LLB; A Griesel, LLB; D de Agrella LLB; M Maphutha LLB Conveyancer: S. Veerasamy, LLB; Office & Finance Manager: M J Ntllane, BA Admin Accountant: N Hlatshwayo B Acc.



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Our Reference: BR
RANGATA/KP0314

Your Reference: GvanNiekerk/E
Brand)

Date: 18 November 2016

"A2"

EDWARD NATHAN SONNENBERGS

c/o FRIEDLAND HART SOLOMON AND NICOLSON

(Ref: G Painter/335509)

BY EMAIL

Dear Sirs

PROXI SMART SERVICES (PTY) LTD / THE LAW SOCIETY OF SOUTH AFRICA AND 4 OTHERS

(CASE NUMBER: 74313/2016, GAUTENG DIVISION, PRETORIA)

1. We refer to your letter of 11 November 2016, contents which have been noted.
2. Our client appreciates your client's willingness to grant our client indulgence to file opposing papers at a later date although not in terms of our client's request. Nonetheless, the extension granted will allow our client to properly prepare its

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Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.

opposing papers on the matter.

3. Our client is not opposed to your client's suggestion that an order be taken for the joinder of the respective law societies by end of November 2016. To this end, our client is only awaiting a council resolution from one of its constituent members to confirm their acceptance to be joined to the application which will be provided no later than Friday, 25 November 2016. Our client however foresees no objection from the said constituent body.
4. Our client has also instructed us to liaise with your office in an effort to make the necessary arrangements to request a special allocation including securing an earlier hearing date suitable to all the parties. In this regard, we will propose that a formal joint request be addressed to the Deputy Judge President requesting the allocation of the application on the special motion roll.
5. Our client also agrees to the timeframes proposed by your client for the filing of the answering affidavit as well as the filing of the replying affidavit.
6. In view of the above, we therefore propose that the necessary logistics regarding the joinder application and the enrolment of the matter be done. We will however provide your office with the council resolutions from the respective law societies as well as their delegation of authority to our client, should that be the case, by **Friday, 25 November 2016**.
7. We trust the above is in order and appreciate your indulgence once again.

YOURS FAITHFULLY

MAPONYA INCORPORATED

Per: Maponya K P (Mr.)

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting;
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Our Reference: BR
RANGATA/KP0314

Your Reference: Gvan Niekerk/E
Brand)

Date: 01 December 2016

"A3"

EDWARD NATHAN SONNENBERGS

c/o FRIEDLAND HART SOLOMON AND NICOLSON

(Ref: G Painter/335509)

BY EMAIL

Dear Sirs

PROXI SMART SERVICES (PTY) LTD / THE LAW SOCIETY OF THE NORTHERN PROVINCES

AND 4 OTHERS

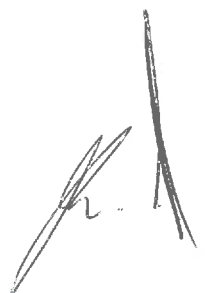
(CASE NUMBER: 74313/2016, GAUTENG DIVISION, PRETORIA)

1. We refer to your letter of 11 November 2016 as well as our subsequent correspondence.

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting;
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Nemakwarani, LLB; P Ledwaba, LLB; A Griesel, LLB ; D de Agrella LLB; M Maphutha LLB Conveyancer: S. Veerasamy, LLB; Office & Finance Manager: M J
Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.

2. Our client's instructions are that it could not obtain consent from all the four law societies regarding your condition to join them to the application by consent. As a result, we have been instructed to inform you that the law societies can only consent or refuse to be joined as soon as they receive your client's application for joinder.
3. Our client is still of the view that your client should have joined the said independent statutory bodies as they have a direct and substantial interest in the matter. Our client is a voluntary association and does not exercise any authority in terms of regulating the respective law societies.
4. Under the circumstances, we are instructed to inform you of the following proposal:-
 - 4.1 That your client should bring an application for joinder of the law societies;
 - 4.2 That as soon as the joinder application is finalised, we should address a joint letter to the office of the Deputy Judge President requesting a special allocation on the motion roll;
 - 4.3 That our client must file its opposing affidavit by no later than 28 February 2017, should the joinder be finalised by then; and
 - 4.4 That your client should file its replying affidavit by no later than 28 April 2017.
5. We place on record that our client will undertake its best endeavours to ensure that this application proceeds expeditiously and that there are no undue delays.
6. Kindly confirm your acceptance of these proposals by no later than **Wednesday, 07 December 2016.**

YOURS FAITHFULLY



MAPONYA INCORPORATED

Per:

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting; P B Rangata B.Proc, LLB; C Kotze, LLB; K Mogashoa, LLB; L Koen, LLB; K P Maponya LLB; **Professional Assistants:** N W Maodi LLB; S Maila, LLB; M Monama, LLB; L Nemakwarani, LLB; P Ledwaba, LLB; A Griesel, LLB ; D de Agrella LLB; M Maphutha LLB **Conveyancer:** S. Veerasamy, LLB; **Office & Finance Manager:** M J Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.

A handwritten signature in black ink, consisting of a large, stylized letter 'A' with a vertical line extending upwards from its right side.



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Web: www.maponya.co.za

Our Reference: BR
RANGATA/KP0314
Your Reference: Gvan Niekerk/E
Brand)
Date: 16 January 2017

"A4"

EDWARD NATHAN SONNENBERGS

c/o FRIEDLAND HART SOLOMON AND NICOLSON

(Ref: G Painter/335509)

BY EMAIL

Dear Sirs

PROXI SMART SERVICES (PTY) LTD / THE LAW SOCIETY OF SOUTH AFRICA AND 4 OTHERS

(CASE NUMBER: 74313/2016, GAUTENG DIVISION, PRETORIA)

1. We refer to your letter of 19 December 2016, contents which have been noted.
2. Our client reiterates its position that it exercises no authority against the

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting;
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Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.

independent law societies. Consequently, our client is still of the strongest opinion that these law societies need to be separately joined as they have a direct and substantial interest in this application.

3. Our client is also of the opinion that it is under no obligation to provide your client with the details referred to at paragraph 3 and 4 of your letter referred to above. The mere fact that our client did not obtain a unanimous decision from its constituent bodies renders the request irrelevant, at least insofar as our client was attempting to ensure that the application is heard and adjudicated with all interested parties joined to the application. However, and purely in an effort not to prolong the matter, we confirm that the following law societies had agreed to be joined to the application by consent:-

- 3.1 The Free State Law Society; and
- 3.2 The Kwa Zulu Natal Law Society.

4. With regards to your request at paragraph 4 of your letter, we advise your client to approach the law societies through their designated leadership structures to obtain any further information required by your client.
5. Finally, our client will file its opposing affidavit on the agreed date taking into account the fact that your client is of the view that the law societies are not necessary parties to the application.

YOURS FAITHFULLY

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting;
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MAPONYA INCORPORATED

Per: Maponya K P (Mr.)

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Web: www.maponya.co.za

Our Reference: KP
MAPONYA/KP0314

Your Reference: GVan Niekerk/E
Brand

Date: 27 February 2017

"A5"

EDWARD NATHAN SONNENBERGS

BY EMAIL

Dear Sirs

PROXI SMART SERVICES (PTY) LTD // THE LAW SOCIETY OF SOUTH AFRICA, THE CHIEF

REGISTRAR OF DEEDS AND THREE OTHERS

CASE NUMBER: 74313/16/2016, GAUTENG NORTH HIGH COURT, PRETORIA

1. We refer to this matter.
2. We have sought and obtained legal opinion on the non-joinder of a number of

Directors: P E Maponya, B.Proc, LLB; H.Dip Co-Law; B Rangata LL.M, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting;
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Ntiane, BA Admin Accountant: N Hlatshwayo B Acc.

parties in your client's application. We have been advised that the following parties need to be joined:

- 2.1 The Law Society of KwaZulu-Natal;
 - 2.2 The Law Society of the Cape of Good Hope;
 - 2.3 The Law Society of the Free State;
 - 2.4 The Law Society of the Northern Provinces;
 - 2.5 National Association of Democratic Lawyers;
 - 2.6 Black Lawyers Association;
 - 2.7 The Black Conveyancers Association;
 - 2.8 The Minister of the Department of Land and Rural Development; and
 - 2.9 The National Forum on the Legal Profession established by virtue of section 98 of the Legal Practice Act 28 of 2014.
3. The above parties should have been joined at inception of the application.
 4. Once your client has joined the said parties, we suggest that new timeframes be negotiated with all the parties in order to file answering affidavits, replying affidavits and heads of argument. We further suggest that thereafter the Deputy Judge-President of the Pretoria High Court be approached in order to set the matter down for a special hearing.
 5. In view of the above, we regret to inform that our clients' answering affidavits will not be ready for filing by the end of February 2017.
 6. We await your clients' joinder application.
 7. Please be further informed that simultaneously herewith we will serve a Rule

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LLM, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting; P B Rangata B.Proc, LLB; C Kotze, LLB; K Mogashoa, LLB; L Koen, LLB; K P Maponya LLB; Professional Assistants: N W Maodi LLB; S Maila, LLB; M Monama, LLB; L Nemakwarani, LLB; P Ledwaba, LLB; A Griesel, LLB ; D de Agrella LLB; M Maphutha LLB Conveyancer: S. Veerasamy, LLB; Office & Finance Manager: M J Ntilane, BA Admin Accountant: N Hlatshwayo B Acc.



35(12) notice on your firm for all documents constituting Annexure 2 (p 111) to the parallel mandate agreement (Annexure "FA2", pp 94 – 122).

YOURS FAITHFULLY

MAPONYA INCORPORATED

Per: 

Directors: P E Maponya, B.Proc, LLB, H.Dip Co-Law ; B Rangata LL.M, LLB, B Proc., Cert. Fin. Accounting; Y Jerushalmi, BA, LLB; T Antulay, B. Proc, Cert. Fin. Accounting; P B Rangata B.Proc, LLB; C Kotze, LLB; K Mogashoa, LLB; L Koen, LLB; K P Maponya LLB; Professional Assistants: N W Maodi LLB; S Malla, LLB; M Monama, LLB; L Nemaqwarani, LLB; P Ledwaba, LLB; A Griesel, LLB ; D de Agrella LLB; M Maphutha LLB Conveyancer: S. Veerasamy, LLB; Office & Finance Manager: M J Ntlane, BA Admin Accountant: N Hlatshwayo B Acc.



IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

Case number: 74313/16

In the matter between:-

PROXI SMART SERVICES (PTY) LTD

Applicant

and

THE LAW SOCIETY OF SOUTH AFRICA

First Respondent

THE CHIEF REGISTRAR OF DEEDS

Second Respondent

ROGER DIXON

Third Respondent

**THE MINISTER OF JUSTICE & CONSTITUTIONAL
DEVELOPMENT**

Fourth Respondent

THE ATTORNEYS FIDELITY FUND

Fifth Respondent

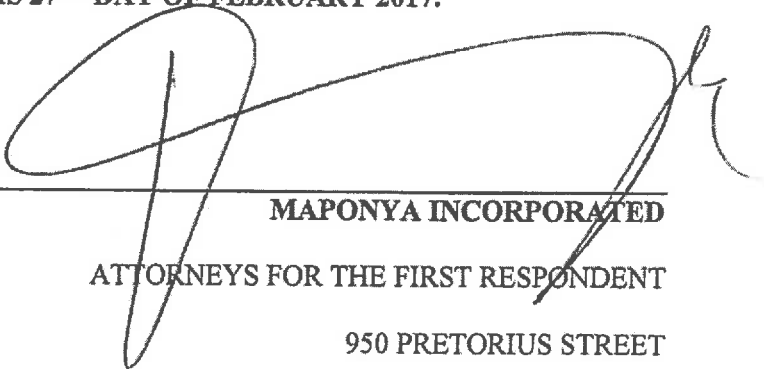
FIRST RESPONDENT'S NOTICE IN TERMS OF RULE 35 (12)

TAKE NOTICE THAT the First Respondent requires the Applicant to produce for inspection the following documents referred to in its founding affidavit and annexures thereto, and to permit the First Respondent to make copies thereof:



1. All documents constituting Annexure 2 (at page 111) to the parallel mandate agreement (Annexure "FA2" at pages 94 to 122).

DATED AT PRETORIA ON THIS 27TH DAY OF FEBRUARY 2017.



MAPONYA INCORPORATED

ATTORNEYS FOR THE FIRST RESPONDENT

950 PRETORIUS STREET

ARCADIA, PRETORIA

REF: KP MAPONYA/KP0314

**TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT
PRETORIA**

**AND
TO: EDWARD NATHAN SONNENBERGS
ATTORNEYS FOR THE APPLICANT
C/O FRIEDLAND HART SOLOMON AND NICHOLSON
BLOCK 4, 301 MONUMENT OFFICE PARK
79 STEENBOCK AVENUE
MONUMENT PARK**



PRETORIA

REF: G PAINTER/335509

Handwritten signature or initials in the bottom right corner, consisting of several overlapping loops and a vertical line.

"A6"



OFFICE OF THE DEPUTY JUDGE PRESIDENT
HIGH COURT OF SOUTH AFRICA, GAUTENG PROVINCIAL DIVISION, PRETORIA

Gauteng High Court Building, Cnr. Madiba (Vermeulen) & Paul Kruger Str, Room 7.15, Seventh Floor
Tel. (012) 315 7572 – Fax. (012) 315 7600 – Direct Fax. 086 663 6107 – E-mail: KRamokoka@judiciary.org.za

9 MAY 2017

TO: ENSAFRICA
EMAIL: gvanniekerk@ENSafrica.com
Your Ref: George van Niekerk
Our Ref: 74313/16/DJP LEDWABA/KF

Dear Sirs

RE: SPECIAL MOTION: PROXI SMART / LAW SOCIETY OF SOUTH AFRICA &
OTHERS, CASE NUMBER: 74313/16

1. I refer to the above matter and discussion at the meeting held in my office on or about 2 May 2017.
2. The matter is hereby set down for hearing as a special motion on 22-24 AUGUST 2017. The notice of set down should be served and filed together with a copy of this letter attached to it within 5 (five) days after receipt hereof, failing which the allocated date(s) of hearing may lapse and may be allocated to other litigants who applied for a special motion date. The notice of set down must be filed at the office of the Deputy Judge President, 7th Floor, Room 7.15, High Court Building.

A handwritten signature in black ink is located in the bottom right corner of the page.

3. The parties legal representatives at the meeting having agreed that the respondents mentioned in the joinder application, except for the Ninth (9th) Respondent who objects against being joined as a party, be joined and a formal application in court be dispensed with. I hereby direct that the respondent in the joinder application are so joined to the proceedings.

4. I further direct that:
 - 4.1 The Respondents should file their answering affidavits not later than **5 JUNE 2017**.
 - 4.2 The Applicant should file its replying affidavit not later than **26 JUNE 2017**.
 - 4.3 Applicant should file heads of argument not later than **17 JULY 2017**.
 - 4.4 Respondents should file Heads of Argument not later than **4 AUGUST 2017**.

5. For proper administration and allocation of special motions, the applicant should deliver the court file duly indexed and paginated to my office on **18 JULY 2017**.

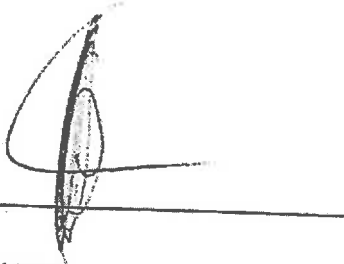
6. The parties should also send via email (KRamokoka@judiciary.org.za) to my office a joint Practice Note by **11 AUGUST 2017** containing the following:
 - Names of the parties and the case number
 - Names and telephone numbers of all counsel in the Motion
 - Nature of the motion
 - Issues to be determined in the application
 - Relief sought at the hearing by the party on whose behalf



- Number of pages in the application and whether or not all papers need to be read and if not, which portion need not be read
7. The aforesaid directives must be strictly adhered to, failing which the matter may be allocated to a Judge for hearing, however depending on why there was non-compliance.
 8. **All queries and/or communications concerning the hearing of this matter must be directed to my office in writing. All documents and the court file must be filed at the office of the Deputy Judge President on the 7th floor, High Court.**
 9. It remains the duty of the **all legal representatives** to ensure that the court file has been properly indexed and paginated in time and that all documents have been filed accordingly as directed at the office of the Deputy Judge President, High Court Pretoria, 7th Floor, Room 7.15.
 10. Should it, for any reasons, transpire that this matter will not proceed on the given date, you are directed to inform the Office of the Deputy Judge President, immediately.
 11. None availability of counsel representing any of the parties shall simply not be allowed as a reason for the matter not to proceed on the date of hearing arranged with my office.
 12. **Should the above directive not be complied with, the matter may not be allocated to a Judge and the allocated dates may be utilized for other deserving cases.**

Handwritten signature and initials in the bottom right corner of the page.

Regards

A handwritten signature in black ink, consisting of a large, stylized 'L' shape with a vertical stroke extending downwards and a horizontal stroke extending to the right, crossing the vertical stroke.

A P LEDWABA
DEPUTY JUDGE PRESIDENT
HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

A handwritten signature in black ink, consisting of a large, stylized 'L' shape with a vertical stroke extending downwards and a horizontal stroke extending to the right, crossing the vertical stroke.