



IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

ROLL TWO

CIVIL TRIAL SETTLEMENT ROLL

PRETORIA THIS DAY OF 17 SEPTEMBER 2020

IN COURT AT 10:00 BEFORE THE HONOURABLE JUSTICE VAN TONDER AJ

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- 1) D/O Standard order required for trusts in respect of powers of trustee.
 - 2) Subject to above amended d/o, order to be granted.

A	ADV D S GIANNI	VS	RAF	<u>Awaiting amended D/O.</u>	75960/18
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Request via email from PI attorney to remove the matter.

Also before Edwards AJ

B	M MJOLI **	VS	RAF	<u>MATTER REMOVED</u>	65375/17
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C	S Y MBUTHUMA	VS	RAF	Removed, matter before Edwards AJ.	23650/18
D	T S L SKOSANA	VS	RAF	To be perused, parties to be advised.	6174/16
E	S MFOLOZI	VS	RAF	To be perused, parties to be advised.	72931/15
F	SAX S MUGAMBE	VS	RAF	Draft order to be made (link sent by attorneys contains all the docs).	10971/13
G	MASINA E N	VS	RAF	<u>Draft Order to be made an order of court.</u>	79616/17
1) Link received from PI with uploaded settlement practice note in chapter 85, which do not appear on CaseLines. 2) <u>PI is ordered to upload the settlement practice note.</u> Duplicate file?					
H	T C MKHONZA	VS	RAF	<u>Draft order will be made an order of Court in the meantime.</u>	22545/18
1) Link received from PI with uploaded settlement practice note in chapter 85, which do not appear on CaseLines. 2) <u>PI is ordered to upload the settlement practice note.</u> 3) D/O par 4: Clarify the costs for these dates: costs up to the <u>07th of June 2020</u> (inclusive of costs of the 29 and 30 of May 2020). Duplicate file? <u>D/O can be made if 3) is clarified.</u>					
I	R M ROMONTSENG	Vs	RAF	<u>Online hearing.</u>	86347/15
JAMES E J					
J	<u>Jacobs, EJ</u>	VS	RAF	1) Email from attorney: Plaintiff is incorrectly referred to as James EJ.	6794/18

It should be Jacobs EJ
(Jacobs, James Edward).

- 2) D/O Interest rate to be 7,75%.
- 3) D/O status of CFA agreement must be included "It is recorded that the PI and Att of Record entered into a valid contingency fee agreement".
- 4) JM of Orthopaedic Surgeons state contribution to early retirement was 6 months at age 60 years.

Parties to appear online.

- 1) Email received, no link.
- 2) No practice note.
- 3) MSWORD unsigned consent letter.
- 4) Submissions unsigned.
- 5) D/O par 10. CFA reference but not provided with email nor required affidavits.

Matter to be removed and the plaintiff attorney is directed to upload an affidavit by the attorney of record dealing with the requirements of this court's practice directive and referencing that the consent letter was received in MSWORD format.

CFA and affidavits to be uploaded.

K	S SIBETHA	VS	RAF	<u>To appear online.</u>	46949/18
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- 1) No link received.
- 2) Emailed Settlement documents without settlement practice note.

L	W F MAFUYEKA	VS	RAF	3) D/O. para 6 and 7.1 cost of an assessor to	56307/17
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investigate quantum? To be removed from D/O.

- 4) D/O par 7.7 and 7.8 Wasn't 9 April 2020 during full lockdown?
- 5) Submissions not sufficient. Only referenced OT and Actuary to a very limited degree. Other experts opinions not included.

Appear online
Matter to be removed.

- 1) No link received.
- 2) Emailed Settlement documents without settlement practice note.
- 3) Unsigned letter of consent and submissions.
- 4) Submissions not sufficient. It does not give particulars of abdominal injuries, sequelae or Future medical treatment. The same for the orthopaedic injuries save to state a hip replacement in future.
- 5) Case law quoted on incontinence as well alluding to sequelae in this regard.

Appear online.

Matter to be removed.

M	N MBONA	VS	RAF	24704/18
N	Z MADLALA	VS	RAF	77327/18

- 1) Settlement practice note to be filed its directive of this court confirm consent letter.

- 2) *Settlement documents emailed, without settlement practice note.*
- 3) *Minor child, 14 years old.*
- 4) *Severe head injury with amputation.*
- 5) *Protection of funds?*

Parties to appear online.

O	B R GUMEDE	VS	RAF	To be perused, parties to be advised.	37001/18
P	MANN FELIX ONYII	VS	RAF	To be perused, parties to be advised.	70559/12
Q	H RAKAU	VS	RAF	To be perused, parties to be advised.	89123/16
R	N D MADONDO	VS	RAF	To be perused, parties to be advised.	57199/16
1) Submissions: settlement amount differ from tender by RAF. RR914 374.11 vs R746 487.80. 2) Submission not sufficient to assess how injury and sequelae impact on earning capacity.					
<u>Matter to be removed.</u>					
S	H J COETZER	VS	RAF	<u>Parties to appear at online hearing.</u>	92588/16
T	ADV LUVHENGGO	VS	RAF	To be perused, parties to be advised.	24336/13
U	T W MUTAVHATSINDI	VS	RAF	To be perused, parties to be advised.	5945/18
1) No settlement practice note. 2) Email consent. 3) Submissions insufficient in respect of Loss of Earnings (do not deal with injuries sustained, sequelae and impact on earning capacity or employability.					
V	MALETE D MAHLODI	VS	RAF		60078/12

To be removed.

To appear online.

- 1) Requested to sign trust deed.
- 2) Trust to age 23.
- 3) D/O interest rate to be 7,75%.
- 4) D/O consent of nominated Trustee to be referenced therein attached.
- 5) CFA: Att Aff to be filed.

Amended draft order to be provided and subject to 6) draft order as amended to be granted.

W O M TLHAOLE VS RAF 21252/18

- 1) Requested to sign trust deed.
- 2) D/O Must include "consent is granted to the curatrix ad litem to accept the tender herein, as prayer 1.
- 3) D/O par 3: interest rate to be 7,75%
- 4) D/O consent of nominated Trustee to be referenced therein attached.
- 5) Consent letter signed.

Amended draft order to be provided, for it to be granted.

X ADV E PRETORIUS VS RAF 52863/17

- 1) Requested to sign trust deed.
- 2) Trust to age 23.
- 3) D/O interest rate to be 7,75%.
- 4) D/O consent of nominated Trustee to be referenced therein attached.

Amended draft order to be furnished, draft order as amended to be granted.

39607/17

Y S MOOKETSI VS RAF

39603/17

Z	L V BALOYI	VS	RAF	To be perused, parties to be advised.	35203/18
Z1	CELE A	VS	RAF	<u>Draft order to be granted.</u>	70129/16
Z2	VAN WYK S R	VS	RAF	<u>Draft Order to be granted.</u>	33354/16
1) What will happen with money of minors?					
Z3	N M MZIZI	VS	RAF	<u>Parties to appear online.</u>	41932/19
Z4	T T MASOLA	VS	RAF	To be perused, parties to be advised.	89095/18
Z5	N M KHUMALO	VS	RAF	To be perused, parties to be advised.	82349/18
Z6	DOEN MASHULA	VS	RAF	To be perused, parties to be advised.	20502/17
Z7	T A RAMOIPONE	VS	RAF	To be perused, parties to be advised.	90485/19
Z8	P E MAKATALA	VS	RAF	To be perused, parties to be advised.	64444/18
Z9	N P MBALO	VS	RAF	To be perused, parties to be advised.	84211/19
Z10	L L MSILA	VS	RAF	To be perused, parties to be advised.	39121/19
Z11	B N NCUBE	VS	RAF	To be perused, parties to be advised.	39124/19
1) Settlement practice note only dealing with CFA. 2) Unsigned consent letter. 3) Submissions insufficient in respect of injury, sequelae and impact of LoE.					
To appear online					
Z12	C L MNGUNI	VS	RAF	<u>Matter to be removed.</u>	1484/16
Z13	J NIEWENHUIZEN	VS	RAF	1) Submissions insufficient. Do not deal sufficiently with injuries sequelae	13252/15

and how this would impact on his employment.

- 2) Settlement practice note only dealing with contingency fee agreement.
- 3) "Signed" submission last two pages missing.
- 4) Consent email (not signed), should have been confirmed in the practice note.

To appear online.

Matter to be removed.

- 1) Settlement practice note only dealing with contingency fee agreement.
- 2) Consent email (not signed), should have been confirmed in the practice note.
- 3) Submissions insufficient. Do not give enough particulars to assess the settlement: s/t injuries that resulted in loss of employment. Contingencies applied not dealt with.

To appear online.

Z14	S J MSIZA	VS	RAF	<u>Matter to be removed.</u>	1504/2016
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- 1) Unsigned and illegible email consent.
- 2) No D/O uploaded.
- 3) Signed Submissions, but do not identify the injuries suffered or age pl to have regard to contingencies.

Z15	G P NTULI	VS	RAF	<u>Parties may appear online.</u>	1423/16
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Z16	A E SKOSANA	VS	RAF	1) Practice note required by Settlement Court not filed.	1507/16
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- 2) Letter of consent unsigned.
- 3) Submissions unsigned.
- 4) No D/O uploaded.

Parties may appear online

Z17	AYANDA T MOYANE	VS	RAF	To be perused, parties to be advised.	51256/16
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- 1) No Settlement Practice note its directive (yet).
- 2) Curator ad Litem? PI suffers from hallucinations etc.
- 3) Letter of consent unsigned.
- 4) Submissions signed by PI Counsel.
- 5) D/O: status of CFA not included therein.
- 6) CFA appears not to comply with the ACT and not valid, does not identify success fee and when success will be reached. Should be declared in D/O as invalid.
- 7) Contingency fee affidavit: No affidavit from PL.

Z18	T P TYESI	VS	RAF	<u>Parties to appear online.</u>	10315/18
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- 1) No Settlement practice note its directive (yet).
- 2) Submissions not signed by PI.
- 3) Letter of consent unsigned.
- 4) D/O Why also costs of 24 August 2020.
- 5) D/O Status of CFA not included therein.
- 6) Date of Accident differs from D/O and Submissions.
- 7) Fee Agreement : DoA? Appears to be incorrect and therefore Fee Agreement appears to be invalid.

D J KHUMALO

Z19		VS	RAF	8) CFA appears not to comply with the ACT and not valid, does not	16941/17
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identify success fee and when success will be reached. Should be declared in D/O as invalid.

- 9) Contingency fee affidavit:
No affidavit from PL.

Parties to appear online.

- 1) No Settlement practice note.
- 2) Consent letter unsigned, submissions not signed.
- 3) D/O Status of CFA not included therein
- 4) CFA appears not to comply with the ACT and not valid, does not identify success fee and when success will be reached. Should be declared in D/O as invalid.
- 5) If valid, no CFA aff from PL.

Parties to appear online if

settlement practice note filed.

Z20 BOY B NHLAPO VS RAF 44413/18

To be perused, parties to be advised.

Z21 H TOZA MADLALA VS RAF 37604/16

- 1) Details of parties to be inserted at the end of the D/O.

Subject to 1) above D/O to be granted.

Z22 MODIBA M E VS RAF 41037/18

To be perused, parties to be advised.

Z23 S HADEBE VS RAF 73618/15

- 1) Merits, Gens and U/T previously settled (see tender of RAF to practice note). Not necessary to include merits and U/T in D/O?

- 2) Gens R750 000.00 previously settled. Was award protected?

Z24 LIGAVHA M E VS RAF 20659/16

Parties to appear at online hearing.

- 1) FME (U/T) already settled previously see Submissions see para 4 and "f" thereof and page 001-8.
- 2) All the reports relied on are from 2015 or older. Any income/employment subsequent to 2015 reports?
- 3) Require Memorandum from RAF with all the signatures confirming the tender.

Z25	GCABA T J	VS	RAF	<u>Parties to appear online.</u>	22161/14
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Z26	MPATHENI N C	VS	RAF	To be perused, parties to be advised.	87364/18
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Z27	MV NKOSI	VS	RAF	To be perused, parties to be advised.	5959/16
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Z28	KHUMALO L	VS	RAF	To be perused, parties to be advised.	79933/17
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