

**IN THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF
STATE CAPTURE, CORRUPTION, AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE
(HELD AT BRAAMFONTEIN)**

**5TH SUPPLEMENTARY AFFIDAVIT
OF MS. LYNETTE BROWN – RESPONSE
TO THE CHAIRMAN’S RULE 10.6 NOTICE
DATED 19 JULY 2021**

1. I, the undersigned,

LYNETTE BROWN

declare under oath as follows:

2. Unless the context indicates otherwise, the facts contained in this affidavit fall within my knowledge and are both true and correct.

3. I have deposed to several affidavits to this Commission. My details are already embodied in these affidavits and it is therefore not necessary to repeat them here.

INTRODUCTION

The Rule 10.6 Notice

4. In a Rule 10.6 Notice dated 19 July 2021, the Honourable Chairman has directed that I, among others, admit or deny the correctness of the information embodied in the annexure attached to the Notice. Should I deny or dispute the correctness of the information in the annexure, I must then explain the basis of my denial or dispute.

5. The annexure itself embodies a schedule of an extract of telephone records of telephone calls from a number 082 300 085 described as “...**that was likely used by Ms Lynne Brown...**” and:
 - 5.1. a number 082 458 9349 described as “**that was likely to be used by Mr Nazim Howa and or Atul Gupta.**” This number appears to have called the number 082 300 085 once for a duration of 48 seconds.

 - 5.2. a number 082 455 4425 described as “**that was likely to be used by Mr Salim Essa...**” This number appears to have called the number 082 300 0850 at least 20 times. Of these 20 calls, 12 seem not to have connected, and 8 calls appear to have connected. The total duration of these 20 calls is about 24.3 minutes.

Two handwritten signatures in black ink, one to the left and one to the right, positioned above the page number.

My Response

6. I confirm that the number 082 300 085 is mine. I have been using it for a very long time.


The Call Seemingly Made from Mr Nazim Howa's Number (082 45589349)

7. It is unclear whether the call was from Nazim Howa or Mr Atul Gupta.
8. It does not matter from perspective. I do not know Mr Atul Gupta. I do not recall receiving a call from him.
9. However, I seem to recall that I once had a telephonic conversation with Mr Nazim Howa. It could have been related to the TNA breakfast but I am not sure. I cannot place exactly when did this occur.


The Call Seemingly Made from Mr Salim Essa's Number (082 455 4425)

10. I am afraid I cannot be of much help to the Commission on these calls.
11. Firstly, I do not know Mr Salim Essa as I have indicated in my Supplementary Affidavit to this Commission.
12. Secondly, I have racked my brain trying to recall and place these calls. I cannot deny the empirical evidence of these calls on the annexure. I simply cannot recall these calls, much less, the content of the conversations, if any.

13. Let me explain it this way: before I received this Rule 10.6 Notice, it never occurred to me that a number believed to be used by Mr Salim Essa ever called me. Even when reading about him in the media, this never crossed my mind.
14. I am afraid I cannot take this much further and assist the Commission.


DÉPONENT

I certify that the deponent acknowledged that she knew and understood the contents of the above declaration that I duly administered the oath as prescribed by Regulation No. R 1258 of the 21st of July 1972, and that thereafter the deponent in my presence signed the declaration at CAPE TOWN on this the 20 July 2021.


COMMISSIONER OF OATHS

Full Names: MEGAN CHANTELL FILANDER-DAVIDS
Designation: COMMISSIONER OF OATHS
PRACTISING ATTORNEY - RSA
TOBIN ATTORNEYS INC.
Business address: 28 Wale Street, Waalburg Building
Cape Town 8001