



2<sup>nd</sup> floor, Hillside House  
17 Empire Road,  
Parktown  
Johannesburg  
2193  
Tel (International): +27 (10) 214-0651  
Tel (Tollfree): 0800 222 097  
Email: [inquiries@sastatecapture.org.za](mailto:inquiries@sastatecapture.org.za)  
Web: [www.sastatecapture.org.za](http://www.sastatecapture.org.za)

**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,  
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

---

15 September 2020

**Tracking number: RPS12/0290/SM**

**To:** Mabuza Attorneys  
Attention: Mr Thomas Sibuyi

By e-mail: [thomas@mabuzas.co.za](mailto:thomas@mabuzas.co.za)  
[eric@mabuzas.co.za](mailto:eric@mabuzas.co.za)  
[rudolph@mabuzas.co.za](mailto:rudolph@mabuzas.co.za)

Dear Sirs

**RE: THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE (“THE COMMISSION”) // MS DUDUZILE CYNTHIA MYENI (“YOUR CLIENT”)**

1. We refer to your letter dated 9 September 2020.
2. You allege in your letter that we have refused to provide copies of the notices, applications and affidavits relating to Ms Myeni “for no explicable reason”. That is incorrect; we were clear in our letter of 14 August 2020 that we have declined to provide them *for a second time* because they have all been provided to Ms Myeni previously.
3. We therefore encourage you to finalise the process of engagement with your client to obtain the necessary instructions. We note that more than four weeks have already

passed since our last letter. Substantial progress could have been made during this time to obtain instructions from Ms Myeni.

4. If, during your on-going engagements with Ms Myeni, it becomes clear that there is any particular document that has gone missing or which Ms Myeni requires in order to prepare for her evidence before the Commission, you are more than welcome to engage the Commission and request that a specific document be sent through.
5. We encourage you to finalise this process expeditiously because, in our experience, it is advantageous for a witness both to have met with the Commission's legal team and investigators before they give evidence and to have furnished the Commission with an affidavit setting out their version on the matters being investigated.
6. Given that Ms Myeni's evidence is scheduled for 4 to 6 November 2020, it will be useful if your process of taking instructions from your client is concluded swiftly so that she can meet with the Commission's legal team and investigators and then prepare an affidavit in advance of her evidence.
7. We, again, propose that a meeting be convened. We propose that it be held over a virtual platform on Monday, 28 September 2020, at 09h00 am. That will provide you with just under two weeks to obtain the necessary instructions from your client, revert to us if there are any specific documents that are required, and then meet with the Commission on the proposed date.
8. We therefore request that you confirm by return whether Ms Myeni will attend the proposed meeting on 28 September 2020 at 09h00 am.
9. We look forward to receiving your response, in writing, by **Thursday, 17 September 2020**.
10. Lastly, we refer to your email communication of 14 September 2020 and note that your offices are authorised to accept service of the summons for Ms Myeni's attendance at the Commission. For your convenience, we attach a copy of the signed summons that will be served on your offices shortly. The summons identifies the

areas that will be covered in Ms Myeni's evidence and will therefore inform your preparations with her over the next two weeks in advance of the proposed meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Shabalala', written in a cursive style.

---

**Ms. Brigitte Shabalala**

**ACTING SECRETARY**

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in The Public Sector including Organs of State**