

**WEBBER WENTZEL**

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**The Honourable Deputy Chief Justice Zondo**  
Chairman of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission")

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Your reference	Our reference	Date
	D Milo / L Pillay / K Mavuso 3029081	3 April 2020

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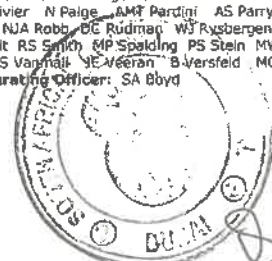
Dear Deputy Chief Justice

**Notice in terms of Rule 3.3**

- As you are aware, we act for MultiChoice Group Ltd and their Mr Calvo Mawela, Ms Clarissa Mack and Mr Imtiaz Patel ("our clients").
- We refer to our letter of 28 February 2020 ("our letter") in which we requested various documents and information ("documents") which were referred to in the context of evidence concerning our clients, presented by Mr Yunus Carrim on 25 February 2020 and by Ms Lulama Mokhobo on 26 February 2020. These documents are:

- the supplementary affidavit of Mr Yunus Carrim;

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Page 2

- 2.2 the affidavit of Ms Theresa Geldenhuys including minutes of SABC board meetings which appear to be attached to this affidavit (including minutes of the SABC board meeting of 2 July 2013);
  - 2.3 the affidavit of Mr Krish Naidoo;
  - 2.4 the affidavit of Prof Cecil Petros Lawrence;
  - 2.5 the affidavit of Ms Lindiwe Vuyelwa Bayi;
  - 2.6 the affidavit of Mr Tiaan Olivier; and
  - 2.7 the audio recording of the meeting held on 6 June 2013 between the interim board of the SABC and our clients.
3. We also refer to the telephone conversation between evidence leader Adv Thandi Norman SC and Mr Dario Milo on 3 April 2020, during which Adv Norman confirmed that some of the above documents were due to be sent to us a few weeks back and would be sent to us today. We await receipt of these documents.
  4. Our clients requested the documents in order to fully and comprehensively respond to the allegations made against them before the Commission. While our clients are at an advanced stage in the process of preparing their written response to the allegations made against them, they require these documents in order to do so comprehensively.
  5. While we had indicated in our previous correspondence that our clients would endeavour to provide the Commission with its consolidated response to the allegations against it at the end of March 2020, this has been delayed as a result of the Commission's delay in providing our clients with the requested documents and as a result of the COVID-19 pandemic, as detailed below.
  6. As the Commission will be aware, President Ramaphosa has declared a national state of disaster and subsequently a national lockdown due to the Covid-19 pandemic. Our clients' services have been designated as essential services in terms of Part B of Annexure B to the Regulations issued in terms of section 27(2) of the Disaster Management Act, 2002 in GN 11062 GG 43148 of 25 March 2020, as amended ("**the Regulations**"). Since the Regulations have been published, our clients have been involved in numerous aspects including the interpretation and application of the Regulations which has required the extremely urgent attention of our clients.
  7. Our clients also intend to submit various hard drives and voluminous documentation as part of their response, which cannot be transmitted to the Commission electronically and must be physically delivered. The deponents to the consolidated affidavit and one of the confirmatory affidavits are also currently overseas. Arranging for our clients to depose before a Commissioner of Oaths in South Africa is also extremely difficult as a result of the lockdown.



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**WEBBER WENTZEL**

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Page 3

8. Our clients' response will therefore unfortunately be further delayed as a result of the travel bans and national lockdown. Our clients will be able to fully prepare the consolidated response once they have received the requested documents from the Commission and, given the strictures of the Regulations, will only be able to deliver the consolidated response after the national lockdown has terminated.
9. All our clients' rights remain reserved.

Yours faithfully

**WEBBER WENTZEL**

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Partner

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