

IN THE NORTH GAUTENG HIGH COURT, PRETORIA
(REPUBLIC OF SOUTH AFRICA)

In the matter between :-

JOHAN PIETER HENDRIK PRETORIUS

First Applicant

JOHAN MICHAEL KRUGER

Second Applicant

and

TRANSNET SECOND DEFINED BENEFIT FUND

First Respondent

TRANSPORT PENSION FUND

Second Respondent

METROPOLITAN RETIREMENT ADMINISTRATORS (PTY) LTD

Third Respondent

TRANSNET SOC LIMITED

Fourth Respondent

MINISTER OF PUBLIC ENTERPRISES

Fifth Respondent

MINISTER OF FINANCE

Sixth Respondent

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

Seventh Respondent

NOTICE IN TERMS OF RULE 35(12) & (14)

TAKE FURTHER NOTICE THAT the Applicants are required to make available for inspection and to allow a copy or transcription thereof to be made by the Fourth Respondent within 5 days of the date of delivery of this notice, the following documents or tape recordings referred to in the Applicants' founding affidavit in their possession which are relevant to a reasonably anticipated issue in the application:-

1. a full copy of the "31 October 2000 Special Actuarial Investigation" main report referred to as annexure "JP4" to the Applicants' founding affidavit;
2. a copy of the actuarial valuation dated 1 April 1990 referred to in paragraph 5 of annexure "JP4" to the Applicants' founding affidavit;
3. a copy of the actuarial valuation in respect of the R17 180.6 million referred to in paragraph 10.3 of the Applicants' founding affidavit;

4. full copies of the financial statements, actuarial reports and minutes of meetings of the Transport Pension Fund referred to in paragraph 11.7 of the Applicants' founding affidavit;
5. copies of the financial statements of 31 March 2001 and the minutes of the trustees meeting referred to in paragraph 13.6 of the Applicants' founding affidavit;
6. a full copy of the pension increase policy referred to in paragraph 16.5 of the Applicants' founding affidavit; and
7. a copy of the contingency fee agreement referred to in paragraph 24.4.2 (iii) of the Applicants' founding affidavit.

DATED at PRETORIA this 14 day of JUNE 2013.

(SGD) B.L Masia

BOWMAN GILFILLAN INC.

Fourth Respondent's Attorneys

165 West Street

Sandton

Tel: 011 669 9514

Fax: 011 669 9001

Email: d.geral@bowman.co.za;

p.pillay@bowman.co.za

Ref: Mr D Geral / 6119495

c/o Gildenhuis Malatji INC

GLMI House

Harlequins Office Park

164 Totius Street

Groenkloof

PRETORIA

Tel: +27 12 428 8600

Fax: +27 428 8601

Ref: L Masia/adt/01701800

TO : THE REGISTRAR OF THE
ABOVE HONOURABLE COURT
PRETORIA

AND TO:

GEYSER & COETZEE ATTORNEYS

First and Second Applicants' Attorneys

c/o **Piet van Zyl Prokureurs**

145 Walter Beckett Street


Arcadia

PRETORIA

Tel: 012 663 5247/8

Ref: WW Coetzee/WP1058

Received copy hereof on this the
day of June 2013.

 14:27

For Applicants' Attorneys

RECEIVED
17 JUNE 2013
14:27:27

AND TO:

WERKSMANS ATTORNEYS

First, Second and Third Respondents' Attorneys

155 – 5th Street

Sandton

Email: dwilliams@werksmans.com

Ref: TRAN0366.9#2465297v1

Received copy hereof on this the
day of June 2013.

For First Respondent's Attorneys

AND TO:

THE STATE ATTORNEY - PRETORIA

Fifth, Sixth and Seventh Respondents' Attorneys

SALU Building

255 Francis Baard Street

PRETORIA

Tel: 012 309 1575

Email: Imoyse@justice.gov.za

Ref: 2881/2013/Z32

Received copy hereof on this the
day of June 2013.

For Fifth, Sixth and Seventh
Respondents' Attorneys