

CALS

Centre for Applied
Legal Studies

LITIGATION UNIT

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Docex 197 Johannesburg

Please address all correspondence to **Wits Law Clinic, Private Bag 3, PO WITS, 2050** or
Docex 197, Johannesburg

Tel: 011 717 8609
Fax: 011 403 2341

Ref: CALS / S Wilson / James Pillay

Date: 8 July 2008

Mr. B Dickinson
Peacock, Liebenberg and Dickinson Inc
PER FAX: 086 607 4631 / 031 708 2266

**POOBALAN GOVENDER AND ANOTHER // JAMES PILLAY AND TWO
OTHERS – CASE NO. 7451/08**

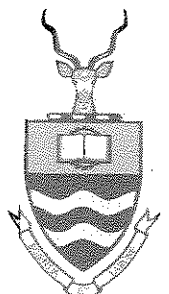
The above matter refers.

We act for the respondents in the above matter.

Our clients instruct that your client, Poobalan Govender, is embarked on a campaign of harassment and intimidation directed toward hounding the respondents out of their homes. In particular, we record that your client, and his agents Leon Govender, Varshnee Govender, a woman known to our clients only as Chantal and a man known to our clients only as Marshall persistently shout at our clients when they appear in the yards of their homes on the property which is the subject of the present application (“the property”).

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Our clients furthermore instruct that, on Sunday 6 July your client's agent Marshall threatened our clients with a large knife.

During the course of his work taking instructions from our clients in preparation for the drafting of our clients' answering affidavit, our Mr. Wilson attended at the property and witnessed several violent threats being made against our clients, on behalf of your client by Mr. Leon Govender. We furthermore record that Mr. Wilson's consultation with our clients was interrupted on several occasions by Leon Govender throwing stones at the wall and windows of our clients' house. Each incident was accompanied by a threat made on behalf of your client that our clients would be evicted soon.

As you are aware, your client is currently subject to a final interdict restraining him from verbally or physically assaulting, threatening, harassing or intimidating our clients. A further interim interdict restrains your client from inciting or directing any of his employees, relatives or agents from verbally or physically harassing, abusing, threatening or assaulting any of our clients. The factual bases for these interdicts are fully set out in the papers before the courts which granted them, and will be set out before the court that ultimately hears the present application. The papers in each of the interdict applications reveal a pattern of vindictive and abusive behaviour on the part of your client.

Our clients instruct that breaches of the interim interdict are severe and continuous and our clients are keeping a record of each of the breaches, which we are instructed to bring to the attention of the court which ultimately hears the present matter. We certainly consider the pattern of harassment to which your client has subjected our

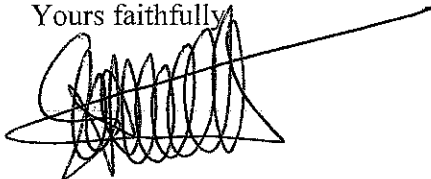
clients either directly or through his agents to be relevant to the exercise of the court's discretion in the above matter and we reserve all of our clients rights in that regard.

In the circumstances, we demand that your client desists from orchestrating the harassment and intimidation of our clients and take the necessary steps to prevent our clients from being subjected to assault, injury or abuse of any sort by any of his relatives, employees or agents.

We are astonished at your client's conduct. We have acted in many matters of this nature, but rarely have we come across or had the opportunity to directly witness such venal, malicious and vindictive behaviour. It is clear to us that your client's utterly deplorable conduct toward our clients is based on more malicious motives than a simple desire to vindicate his alleged rights in the property. These motives, which we are instructed include a desire to interfere with our clients' freedom of religion and association will be brought to the attention of the court in our clients' answering affidavit.

In the meantime, kindly advise your client to desist from his reprehensible conduct toward our clients (which directly or through his agents). You may also wish to discuss with him the clear prejudice he is causing his own interests in the above matter by continuing to act in such a malicious and injurious manner.

Yours faithfully,

A handwritten signature in black ink, consisting of a series of overlapping loops and a long horizontal stroke extending to the right.

WTS LAW CLINIC

Message Confirmation Report

08-JUL-2008 14:48 TUE

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Name :

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Date: 8 July 2008

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Message Confirmation Report

08-JUL-2008 15:04 TUE

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Name/Number : 00317082267
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Ref: CALS / S Wilson / James Pillay

Date: 6 July 2008

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