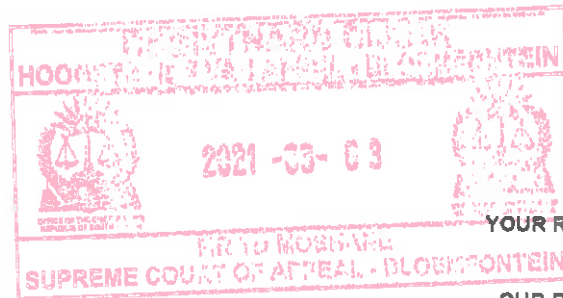


SYMINGTON DE KOK
ATTORNEYS

**THE REGISTRAR
SUPREME COURT OF APPEAL
BLOEMFONTEIN**



DATE
2021-03-03

YOUR REFERENCE
99/21

OUR REFERENCE
L VENTER/cal/FFM2258

Dear Sir / Madam

**NOTICE OF MOTION : DUDUZILE CYNTHIA MYENI // ORGANISATION UNDOING TAX
ABUSE NPC & OTHERS**

We refer to the above matter and annex hereto 2 (two) copies of the First and Second Respondents' Answering to the Applicant's Condonation application and Application for Leave to Appeal.

We further attach hereto 3(three) copies of correspondence from our correspondent, Messrs Jennings Inc. explaining the necessity of the annexures to the affidavit.

The original affidavit as well as better copies of the annexures will be filed within the 10 day period as prescribed by the Rules of the SCA.

We trust you find the above in order.

Yours faithfully,

SYMINGTON DE KOK INC
PER: D MÖLLER

SOLUTIONS

SYMINGTON & DE KOK INCORPORATED | REG. NO. 1994/010235/21
CERTIFIED AS A LEVEL ONE (1) CONTRIBUTOR TO B-BBEE
VAT REG NO. 4530147711

BLOEMFONTEIN
169B NELSON MANDELA DRIVE, WESTDENE, BLOEMFONTEIN, SOUTH AFRICA, PO BOX 12012, BRANDHOF, 9324
TEL: 051 505 6600, FAX: 051 430 4806 | DOCEX 18 BLOEMFONTEIN

BELLVILLE * | TEL: 021 913 3137

DIRECTORS: LEON STRATING, THEUNS WOLMARANS, CHRISTIE BEUKES, GILES REHBOCK, PIERRE JOUBERT, JANINE FOUCHÉ *, ELNA POHL,
TONIE O'REILLY, KUTLWANO MOHALEROE, GWEN JOHNSTONE, DIEPERINK MÖLLER, RUWAYNE SMITH

SENIOR ASSOCIATES: PIET SWANEPOEL, OBA VAN TONDER, STEFANI SLABBERT

ASSOCIATES: NATALIE WOLMARANS, LELANI VAN BLERK, ROCHELLE BRINK, NADINE DAVIS, KAGISHO MORURI, JESS DONNELLY, LERATO MANGENA, AVIWE MAGATYANA,
GERHARD DU TOIT, DAMILOLA ABIMBOLA, TALITHA DU PREEZ, ANDRE BOTHA

FINANCIAL MANAGER: RIANA NEL

HUMAN RESOURCES MANAGER: RITA-LIZE COETSEE

IT MANAGER: JACQUES VAN DER MERWE



OUR REFERENCE: A JENNINGS/OUT007
YOUR REFERENCE: CASE NUMBER: 099/21
DATE: 03 March 2021

TO: REGISTRAR OF THE SUPREME COURT OF APPEAL - BLOEMFONTEIN

BY HAND

Sirs

DUDUZILE CYNTHIA MYENI//ORGANISATION UNDOING TAX ABUSE, SOUTH AFRICAN AIRWAYS PILOTS' ASSOCIATION AND 3 OTHERS

1. We refer to the abovementioned matter.
2. The 1st and 2nd Respondents' Answering Affidavit contains 11 Annexure (not included in the Applicant's founding papers) as follows:

Annexure SF1 – Judgment dated 2 December 2019 granted against the Applicant.
Annexure SF2 – Judgment dated 12 December 2019 granted against the Applicant.
Annexure SF3 – Judgment dated 28 January 2020 granted against the Applicant.
Annexure SF4 – Judgment dated 29 January 2020 granted against the Applicant.
Annexure SF5 – Judgment dated 15 February 2021 granted against the Applicant.
Annexure SF6 – Letter to Applicant dated 15 February 2021.
Annexure SF7 – Letter from Applicant's Attorneys dated 16 February 2021.
Annexure SF8 – Letter to Applicant's Attorneys dated 17 February 2021.
Annexure SF9 – CIPC Search report.
Annexure SF10 – Letter from Applicant's Attorneys dated 22 December 2020.
Annexure SF11 – Extract from pleadings.

3. Annexure SF1 – SF 5 are judgments relevant to the present Application launched by the Applicant, which the Applicant elected not to include in the initial Application launched. These judgments are relevant to Ms

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Reg No: 2018/065399/21 | VAT No: 466029874

Andri Jennings (LLB) - (P) Director | Gelo Jansen (LLB) - (P) Associate Attorney

Cindy Potters (LLB) - (UNISA) Candidate | Sabine Verheij (BCom) - (LLB) Associate Attorney

Malize van der Linde - Candidate (Legal Practitioner) | Jan Jennings - Candidate (Legal Practitioner)

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222 Smit Street, 21st Floor, Bloemfontein, Johannesburg | P: 010 005 4572

21 Woodlands Drive, Country Club Estate, Building 2, Woodmead, Johannesburg | P: 011 258 8770

Myeni's application for leave to appeal, as she attempts to raise the same grounds of appeal which were addressed and dismissed in these judgments. They are further relevant to demonstrating her obstructive conduct and further applications for leave to appeal as more specifically described in paragraphs 11 - 17 as well as paragraphs 24 - 27 of the Answering Affidavit.

4. Annexure SF6 - SF9 are correspondence exchanged between the parties - as well as a CIPC search which indicates the Applicant's ongoing breach of the delinquency order which is more specifically described in paragraphs 28 - 32 of the Answering Affidavit. This is relevant to both the condonation application and the application for leave to appeal.
5. Annexure SF10 - is correspondence which clearly shows the Applicant's intention to petition to the abovementioned Honourable Court as far back as 22 December 2020, which indicates a clear delay in lodging of the Petition and which correspondence bears reference to the Condonation Application filed by the Applicant. This is more specifically referred to in paragraphs 37 - 48 of the Answering Affidavit. This is relevant to the condonation application.
6. Annexure SFT1 - is an extract from the initial pleadings lodged in the court a quo which contradicts the Applicant's version as contained in the petition as is more specifically described in paragraph 75 of the Answering Affidavit.
7. There can be no dispute over the contents of the annexure nor can there be any prejudice to the Applicant in admitting these annexures, the majority of which ought to have been attached to the founding papers.
6. In these circumstances, we kindly request that you accept filing of the Answering Affidavit inclusive of the annexures.


Kind regards,
Andri Jennings
Director

IN THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

SCA Case No: 99/21

In the matter between:

DUDUZILE CYNTHIA MYENI	Applicant
and	
ORGANISATION UNDOING TAX ABUSE NPC	First Respondent
SOUTH AFRICAN AIRWAYS PILOTS ASSOCIATION	Second Respondent
SOUTH AFRICAN AIRWAYS SOC LIMITED	Third Respondent
AIR CHEFS SOC LIMITED	Fourth Respondent
MINISTER OF FINANCE	Fifth Respondent

In re:

ORGANISATION UNDOING TAX ABUSE NPC	First Plaintiff
SOUTH AFRICAN AIRWAYS PILOTS ASSOCIATION	Second Plaintiff

And

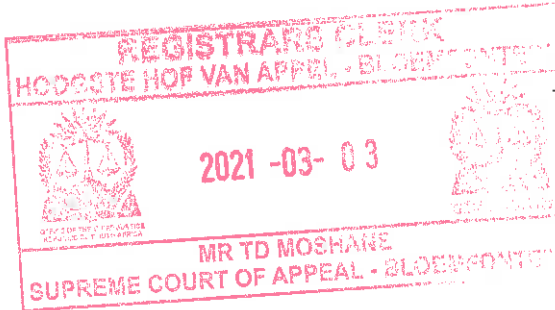
DUDUZILE CYNTHIA MYENI	First Defendant
SOUTH AFRICAN AIRWAYS SOC LIMITED	Second Defendant
AIR CHEFS SOC LIMITED	Third Defendant
MINISTER OF FINANCE	Fourth Defendant

FILING NOTICE

KINDLY TAKE NOTICE THAT the FIRST AND SECOND RESPONDENTS hereby file the following:

FIRST AND SECOND RESPONDENTS' ANSWERING AFFIDAVIT TO THE APPLICANT'S CONDONATION APPLICATION AND APPLICATION FOR LEAVE TO APPEAL

DATED AT BLOEMFONTEIN ON 3 MARCH 2021.



JENNINGS INC

Attorneys for the First and Second Respondents

C/O SYMINGTON & DE KOK
169B Nelson Mandela Road
Westdene
BLOEMFONTEIN
(Ref: L Venter/csl/FFO2029)

TO: THE REGISTRAR OF THE SUPREME COURT BLOEMFONTEIN

AND TO: MABUZA ATTORNEYS ATTORNEYS FOR APPLICANT C/O MATSEPES ATTORNEYS 26/28 ALIWAL STREET BLOEMFONTEIN REF: jenine@matsepes

MATSEPES (BFN) INC.
26/28 Aliwal Str • BFN • 9301
P.O. Box 256
Bloemfontein • 9300
Tel: 051 440 3166 • Fax: 051 440 4563

Received copy:

Jenine
03/03/21
14:00