## **Andri Jennings**

From: Boitumelo Moti <br/>
<br/>
bmoti@werksmans.com>

Sent: 26 April 2022 10:30 AM

To: Andri Jennings

Cc: Tumi Modubu; Matthew Scorgie; Senzo Mbatha; Irene Pienaar; Neil Kirby; Raisah O

Mahomed

Subject: RE: ORGANISATION UNDOING TAX ABUSE NPO//SOUTH AFRICAN NATIONAL

ROADS AGENCT LTD, MINISTER OF TRANSPORT, NAZIR ALLI, DANIEL MOTAUNG,

SKHUMBUZO MACOZOMA AND N3 TOLL CONCESSION (RF) (PTY) LTD

(32095/2020) - OUT003 [IWOV-LITIGATION.FID560906]

**Attachments:** Letter Jennings Inc. 26-04-22 final(8527357.1).pdf

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#### Dear Andri

Please find attached a letter for your attention.

Kind regards

×

#### **Boitumelo Moti**

Senior Associate

+27 11 535 8352 F +27 11 535 8636 F bmoti@werksmans.com

The Central, 96 Rivonia Road, Sandton, Johannesburg, 2196 Private Bag 10015, Sandton, 2146, South Africa T +27 11 535 8000 F +27 11 535 8600 ₩ www.werksmans.com

From: Andri Jennings <andri@jinc.co.za>

Sent: 25 April 2022 14:57 PM

To: Boitumelo Moti <br/>
<br/>
Smoti@werksmans.com>; Neil Kirby <NKirby@werksmans.com>; Raisah O Mahomed <romahomed@werksmans.com>

Cc: Tumi Modubu <tmodubu@ensafrica.com>; Matthew Scorgie <mscorgie@ensafrica.com>; Senzo Mbatha <smbatha@ensafrica.com>; Irene Pienaar <irene@jinc.co.za>

Subject: RE: ORGANISATION UNDOING TAX ABUSE NPO//SOUTH AFRICAN NATIONAL ROADS AGENCT LTD, MINISTER OF TRANSPORT, NAZIR ALLI, DANIEL MOTAUNG, SKHUMBUZO MACOZOMA AND N3 TOLL CONCESSION (RF) (PTY) LTD (32095/2020) - OUT003

Good day.

We refer to the abovementioned matter as well as our correspondence below.

We confirm that we have not been afforded a reply.

We would be pleased to receive your soonest reply herein.



#### **DELIVERED BY EMAIL**

Jennings Inc.

Attention: Ms A Jennings Per e-mail: andri@jinc.co.za Johannesburg Office

The Central
96 Rivonia Road
Sandton 2196 South Africa
Private Bag 10015
Sandton 2146
Docex 111 Sandton
Tel +27 11 535 8000
Fax +27 11 535 8600

www.werksmans.com

YOUR REFERENCE: A Jenr

A Jennings/ OUT003

OUR REFERENCE: DIRECT PHONE: DIRECT FAX: Mr N Kirby/Ms B Moti/ NTHR1011.58 +27 11 535 8198/ +27 11 535 8352 +27 11 535 8698/+27 11 535 8636

EMAIL ADDRESS:

nkirby@werksmans.com/ bmoti@werksmans.com

26 April 2022

Dear Sirs

ORGANISATION UNDOING TAX UNDOING TAX ABUSE NPC / SOUTH AFRICAN NATIONAL ROAD AGENCY SOC LIMITED AND 5 OTHERS – HIGH COURT OF SOUTH AFRICA, PRETORIA DIVISION - CASE NO. 32095/2020

- 1 We refer to the above matter and your letter dated 13 April 2022.
- 2 We confirm that -
- 2.1 our client is a third party to your client's request for information ("RFI") dated 30 July 2019, submitted to the South African National Road Agency SOC Limited ("SANRAL") in accordance with the provisions of the Promotion to Access to Information Act No. 2 of 2000 ("PAIA"). As such, our client is under no obligation to furnish your client with documents requested in terms of the RFI;
- as clearly stated in our client's answering affidavit dated 28 March 2022 ("answering affidavit"), our client does not object to the disclosure, by SANRAL to your client, of certain documents as set out in paragraph 34 of our client's answering affidavit, in so far as SANRAL is in possession of those documents. It is important to note, however, that, as set out in paragraph 34.3 of our client's answering affidavit, whilst our client does not object to the disclosure of the independent engineer/s reports submitted to SANRAL related to the Concession Agreement concluded between our client and SANRAL, such a position is only to the extent that such reports do not contain financial, commercial, scientific or technical information, the disclosure of which would likely to cause harm to the financial, commercial or technical interests of our client, as a third party; and

Werksmans Inc. Reg. No. 1990/007215/21 Registered Office The Central 96 Rivonia Road Sandton 2196 South Africa
Directors D Hertz (Chairman) OL Abraham LK Alexander C Andropoulos JKOF Antunes RL Armstrong DA Arteiro K Badal T Bata LM Becker JD Behr AR Berman NMN Bhengu
HGB Boshoff GT Bossr TJ Boswell MC Brönn W Brown PF Burger PG Cleland JG Cloete PPJ Coetser C Cole-Morgan JN de Villiers R Driman KJ Fyfe D Gewer JA Gobetz
R Gootkin GF Griessel N Harduth J Hollesen MGH Honiball BB Hotz T Inno HC Jacobs TL Janse van Rensburg AV Jara G Johannes S July J Kallimeyer A Kenny R Killoran N Kirby
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NT Matshebela JE Meiring H Michael SM Moerane C Moraitis PM Mosebo NPA Motsiri L Naidoo K Neluheni JJ Niemand BW Ntuli BPF Olivier WE Obsthuizen Z Oosthuizen
S Padayachy M Pansegrouw S Passmoor D Pisanti T Potter AA Pyzikowski RJ Raath A Ramdhin MDF Rodrigues BR Roothman W Rosenberg NL Copt TA Sibidla
FT Sikhavhakhavha LK Silberman S Sinden DE Singo JA Smit BM Sono CI Stevens PO Steyn J Stockwell DH Swart JG Theron PW Tindle SA Tom JJ Truter KJ Trudgeon M Tyfield
DN van den Berg AA van der Merwe JJ van Niekerk FJ van Tonder JP van Wyk A Vatalidis RN Wakefield L Watson D Wegierski G Wickins M Wiehahn DC Williams
E Wood BW Workman-Davies Consultant DH Rabin



- 2.3 any request by your client for access to the abovementioned documents may be directed directly to SANRAL.
- 3 We trust that the above is in order.
- 4 Our client's rights remain expressly reserved.

Yours faithfully

### WERKSMANS INC.

THIS LETTER HAS BEEN ELECTRONICALLY TRANSMITTED WITH NO SIGNATURE.