

397 Central Park Avenue  
Strubenkop Complex  
Lynnwood, Pretoria, 0081  
[REDACTED]



010 003 3815  
PostNet Suite 36, Pvt Bag x 1  
Menlo Park, Pretoria, 0102  
[www.aletuysattorneys.co.za](http://www.aletuysattorneys.co.za)

12 November 2018

Our ref: S0004

To: Mr Trevor Boswell  
**Werksmans Attorneys**  
Attorneys for the Plaintiff  
Ref: MR T BOSWELL/tjb/SOUT1.1/1/#5842826v2  
Per: Email [REDACTED]

Dear Sirs,

**SOUTH AFRICAN NATIONAL ROADS AGENCY ("SANRAL") / VARIOUS  
DEFENDANTS – STATEMENTS OF FACT & RULE 28(3) OBJECTIONS**

1. We refer to your letter dated 8 November 2018 ("your letter").

**STATEMENTS OF FACT**

2. We agree that the parties should now engage in order to determine which facts are common cause and which facts are disputed, and the means by which the evidence should be placed before the court.
3. We request that your offices provide us with dates as to when it will be convenient to meet in this regard.
4. In relation to the status of the Magistrate Court matters before the High Court, while we agree that these actions should form part of the consolidated test case, we do not agree that this can be done informally.
5. We propose that we prepare an application to intervene on behalf of the Magistrate Court defendants in the High Court proceedings that will decide the

Director: Alet Magdaleen Uys BCom Law LLB (UP)  
Consultants: Andrea Korff LLB (UP); Brendan Charles Slade LLB (UP)  
VAT Reg No: 421 0277 853

separated issues. We propose that this be done with SANRAL's consent, and expedited with the assistance of the case manager.

6. Kindly confirm per reply whether your client will consent to such application being made.

#### **RULE 28(3) OBJECTIONS**

7. We note your client's reliance on Regulation 6 of the E-Road Regulations.
8. Without prejudice to our clients' rights to oppose your client's claims for alleged e-tolled liability incurred that have prescribed, we will withdraw all objections raised in terms of Rule 28(3). As per paragraph 13 of your letter, we are in agreement that this particular issue may be dealt with as part of the separated case.
9. Formal notices to this effect will be served in due course.

Yours faithfully,



**ALET UYS ATTORNEYS**

BC Slade

