

"FA<sub>28</sub>"



**JENNINGS**  
INCORPORATED

ATTORNEYS, NOTARIES, CONVEYANCERS & COST CONSULTANTS

OUR REFERENCE: [REDACTED]  
YOUR REFERENCE: VARIOUS  
DATE: 24 May 2023

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TO: WERKSMANS INCORPORATED  
MORRIS FULLER WILLIAMS INCORPORATED

BY EMAIL: [REDACTED]

Sirs

PENDING E-TOLL LITIGATION

1. Between 2016 and 2018, SANRAL instituted action against 99 defendants in the High Court and 1 929 defendants in various Magistrates' Courts who sought the assistance of the Organisation Undoing Tax Abuse NPC ("OUTA") in defending SANRAL's claim against them.
2. We confirm that we act on behalf of the above defendants and on behalf of the OUTA.
3. During 2018, our predecessors co-operated with SANRAL with a view to ripening a test case for determination in the Gauteng Division. Judge Tolmay was the appointed case manager.
4. During 2019, before the test case was ripened, SANRAL announced that its Board had decided to place a moratorium on the recovery of arrears e-tolls pending a decision from the State on the future of tolling the GFIP network.
5. Thereafter, no further step was taken either in the test case or in any of the underlying actions.
6. In October 2022, the Minister of Finance announced that the GFIP network would no longer be tolled and added that the upgrades would be financed partly by National Treasury and partly by the Gauteng Provincial Government. The decision was subsequently confirmed in various public statements made by the Gauteng Provincial Government.





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7. Our clients want the litigation referred to above to be brought to finality.
8. To this end, we have been instructed to engage with SANRAL in without prejudice round table discussions to explore the amicable closing-off of the litigation.
9. Accordingly, we wish to arrange a without prejudice meeting between the legal representatives of the parties for this purpose, should SANRAL also be open to the amicable closing-off of the litigation.
10. Kindly would you indicate by reply whether SANRAL is in principle amenable to amicably bringing the litigation to an end, and willing to meet on a without prejudice basis for that purpose.
11. Should SANRAL be willing, we will then engage with your offices to set up the meeting on a suitable date and time.
12. We await your reply.

TRANSMITTED ELECTRONICALLY AND UNSIGNED

Kind regards,

Andri Jennings

Director

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