

Nicholls, Cambanis & Associates
Attorneys At Law

Legal Aid Board

Suite 3919, 39th Floor
Carlton Centre
Johannesburg
2001

Telephone
331-6919
331-6910
331-6920 / 7 / 8 / 9

BY HAND

VAT NO.4430118259
INV. NO. 103

P.O.Box 8694
Johannesburg
2000

Fax: (011) 331-8691

Docex No. 631

Your Ref:

Our Ref:

Date:

CRYSTAL CAMBANIS/hm

7 June 1999

STATEMENT OF ACCOUNT

**RE: BOIPATONG AMNESTY HEARINGS
LEGAL AID BOARD REF NO. 3/7206/98
BETTY LEROBANE**

FOR THE PERIOD 1 FEBRUARY 1999 - 31 MAY 1999

	<u>FEES</u>	<u>VAT</u>	<u>DISB.</u>
1. Attending on Amnesty Hearings 3 - 21 May 1999 15 days x R2 500.00	37 500.00	5 250.00	
2. Travel to hearings at Iscor Recreational Centre Vanderbijlpark 152km x 13 days @R1.50p/km			2 964.00
3. Photocopies of bundles for Commission and copies of Record of this Hearing 1 625 folios x 85c			1 381.25
4. Telephone calls and correspondence (102) x R3.50 5hrs x R200.00 p/hr	1 000.00	140.00	357.00
5. Fax (44 x R1.00)			44.00

6. 5 February 99

Consult Adv. Berger
and Adv. Malindi
(1hr 45 mins x R200.00) 350.00 49.00

7. 9 February 99

Consult Adv. Berger
and Adv. Malindi (1hr) 200.00 28.00

8. 12 April 99

Consult Adv. Berger
and Adv. Malindi
(1hr 30 mins) 300.00 42.00

9. 24 April 1999

Consultation with clients
at Boipatong (5hrs) 1 000.00 140.00

PREPARATION

17/03/99

3 hrs 30 mins 700.00 98.00

16/04/99

1 hr x R200.00 200.00 28.00

21/04/99

1 hr 300.00 42.00

25/04/99

3 hrs 600.00 84.00

26/04/99

2 hrs 30 mins 500.00 70.00

27/04/99

3 hrs 600.00 84.00

28/04/99

2 hrs 400.00 56.00

29/04/99

3 hrs 600.00 84.00

30/04/99

5 hrs 30 mins 1 100.00 154.00

2/05/99

1 hr 30 mins 300.00 42.00

8/05/99

2 hrs 30 mins 500.00 70.00

9/05/99

3 hrs 600.00 84.00

16/05/99

6 hrs

1 200.00 168.00

47 950.00 6 713.00 4 746.25

FEES 47 950.00
VAT 6 713.00
DISB. 4 746.25

TOTAL 59 409.25

AMOUNT DUE: R59 409.25

922 INNES CHAMBERS
84 PRITCHARD STREET
JOHANNESBURG
2001
TELEPHONE: (011) 333-8316
TELEFAX : (011) 333-8423

31 May 1999

Director
Legal Aid Board
Private Bag X163
Pretoria
0001

TAX INVOICE NO. 376

VAT NO. 4560110621

FEES DUE TO ADV. D.I. BERGER

Ex Parte : S Motloug and Others
In re : Boipatong Amnesty Applications

(Ref : Mr B Pienaar (Jhb Office))
(Ref No. 0003/00007207/98)

05/02/99	Consultation with G. Malindi and C. Cambanis (1¼ hours) 09h45 - 11h30	R 350,00
09/02/99	Consultation with G. Malindi and C. Cambanis (1 hour) 14h00 - 15h00	R 200,00
06/04/99	Reading and preparation (5 hours) 08h00 - 10h00; 15h30 - 18h30	R 1 000,00
07/04/99	Reading and preparation (5 hours) 08h30 - 10h30; 14h00 - 17h00	R 1 000,00
08/04/99	Reading and preparation (6 hours) 08h00 - 10h30; 14h00 - 18h00	R 1 200,00
09/04/99	Reading and preparation (5 hours) 09h00 - 10h00; 13h30 - 17h30	R 1 000,00
10/04/99	Reading and preparation (4 hours) 09h00 - 13h00	R 800,00
11/04/99	Reading and preparation (4 hours) 09h00 - 11h00; 18h00 - 20h00	R 800,00
12/04/99	Consultation with G. Malindi and C. Cambanis (1½ hours) 15h00 - 16h30	R 300,00

/ ... 2

P G MALINDI

3rd Floor
Innes Chambers
84 Pritchard Street
JOHANNESBURG 2001

Tel: 011 337 2370

Date : 10 June 1999

INVOICE NO. 001/99

Legal Aid Board
Pretoria

Ref : LAB 9619/98 JHB/ 3/165307/98

<u>DATE</u>	<u>DESCRIPTION</u>	<u>FEE</u>
	Fees due iro services rendered in the matter <u>BOIPATONG AMNESTY HEARINGS</u> <u>REF: SHIREEN FILLIES (TRC CAPE TOWN)</u>	
05/02/99	Consultation with D Berger and C Cambanis, 09h45 - 11h30 x 1h45mins	350,00
09/02/99	Consultation with D Berger and C Cambanis, 14h00 - 15h00 x 1hr	200,00
12/04/99	Consultation with D Berger and C Cambanis, 15h00 - 16h30 x 1½ hrs	300,00
14/04/99	Reading and Heads of Argument (HOA), 20h30 - 03h00 x 6½ hrs	1 300,00
16/04/99	Reading and HOA 12h00 - 17h00 x 5 hrs	1 000,00
18/04/99	Reading and HOA 20h30 - 02h30 x 6 hrs	1 200,00
22/04/99	Reading and HOA 09h00 - 18h00 x 9 hrs	1 500,00
26/04/99	Reading and preparation 20h00 - 01h00 x 5 hrs	1 000,00
29/04/99	Reading and preparation 10h00 - 15h30 x 5½ hrs	1 100,00
02/05/99	On appearance at hearing	2 500,00
04/05/99	On appearance at hearing	2 500,00
05/05/99	On appearance at hearing	2 500,00
06/05/99	On appearance at hearing	2 500,00
07/05/99	On appearance at hearing	2 500,00

Legal Aid Board
Pretoria

<u>DATE</u>	<u>DESCRIPTION</u>	<u>FEE</u>
09/05/99	Preparation 14h00 - 17h00; 20h00 - 22h00 x 5 hrs	1 000,00
10/05/99	On appearance at hearing	2 500,00
11/05/99	On appearance at hearing	2 500,00
12/05/99	On appearance at hearing	2 500,00
13/05/99	On appearance at hearing	2 500,00
14/05/99	On appearance at hearing	2 500,00
15/05/99	Preparation 20h15 - 01h30 x 5¼ hrs	1 050,00
17/05/99	On appearance at hearing	2 500,00
18/05/99	On appearance at hearing	2 500,00
19/05/99	On appearance at hearing	2 500,00
20/05/99	On appearance at hearing	2 500,00
21/05/99	On appearance at hearing - hearing adjourned to 19 July 1999	<u>2 500,00</u>
		49 450,00
	Plus VAT	<u>6 923,00</u>
	SUB-TOTAL	R56 373,00
	<u>DISBURSEMENTS</u>	
	Use of own vehicle : 74 km x 8 @ R1,00 per km	592,00
	Tollgate : R6,50 x 8	<u>52,00</u>
		<u>644,00</u>
	<u>TOTAL</u>	<u>R57 017,00</u>

Island Group
300 Innes Chambers
84 Pritchard Street,
Johannesburg
2001

Legal Aid Office
TRUTH AND RECONCILIATION COMMISSION
CAPE TOWN

31 July 1998

Fax: (021) 422-2221

Dear Ms Faeza Brown

FEES FOR ADVOCATES

- 1 I was appointed to act on behalf of some of the victims in the Boipatong Amnesty Hearings. I further refer to the letter of Nicholls Cambanis and Associates dated 20 July 1998 to you.
- 2 I have been a member of the Johannesburg Bar for three (3) years. I propose the following fee structure for myself.
 - 2.1 Appearances before the Committee: R2500,00 per day
 - 2.2 Preparation: Consultations R200,00 per hour
(daily maximum of R1500,00)
 - 2.3 Perusal of documents (as per Regulation 3 (2))
 - 2.4 Travelling (as per Regulation 4)

Yours faithfully



P.G. MALINDI



**OFFICE OF THE
LEGAL AID OFFICER**

10TH Floor, 100 Adderley Street
 CAPE TOWN
 Tel.: (021) 424-8298/424-8181
 Fax: (021) 4222221

20 October 1998

**LEGAL AID BOARD
 PRETORIA**

Fax No.: (012) 2419822

Att.: Mr S.D. Maile

Dear Sir

RE : ATTORNEYS NICIOLLS CAMBANIS & ASSOCIATES
ADV. DANNY BERGER
ADV. P.G. MALINDI

We attach hereto statements of account submitted by the above legal counsels.

Kindly note that we have perused the said statements of account and we are satisfied that it has been structured in accordance with the agreement between ourselves and the aforesaid counsel.

You are hereby authorized to effect payment of the said accounts.

Yours faithfully

J.P. Potgieter
 Adv. D. POTGIETER S.C.
 (Commissioner & Legal Aid Officer)



PP/rsb/let

24 June 1999

Nicolls Cambanis & Associates
Suite 3919, 39th Floor
Carlton Centre
JOHANNESBURG
2001

Attention : Ms C. Cambanis
Adv. D. Burger
Adv. P.G. Malindi
Per Telefax (011) 331-8691

Dear Sirs

BOIPATONG AMNESTY APPLICATIONS

Your fax dated 23 June 1999 refers. The contents thereof are noted.

During our conversations on 21 and 22 June 1999 we discussed the question of legal fees claimed by yourselves specifically and legal fees claimed by the other legal representatives, generally.

We share the concern you expressed regarding the extent of the legal fees in the matter which have been paid to yourselves and your colleagues on behalf of the victims of Boipatong together with the current fees claimed and those still to be incurred when the matter is again heard. We agree with you that it seems wholly inappropriate that within the context of the truth and reconciliation process that such vast amounts of money are expended on legal costs as opposed to being utilised for the victims needs.

We also agreed with your view that we should meet to discuss the overall question of legal fees in this matter.

106 Adderley Street, Cape Town, 8001. Tel:(021) 245 161 Fax:(021) 233 280 / 245 225.

Sanlam Centre, 10th Flr, One Von Wielligh & Jeppe Str., Johannesburg, 2001. Tel:(011) 333 6330 Fax:(011) 333 0832/6341.

Metlife Building, 9/10th Floor, 391 Smith Street, Durban, 4000. Tel:(031) 307 6767 Fax:(031) 307 6742/49.

NBS Building, 5th Floor, 15 Terminus Street, East London, 5200. Tel:(0431) 43 2885 Fax:(0431) 43 9352/27.

E-mail: mjoyi@global.co.za Internet: <http://www.truth.org.za>

You had also indicated that you would be meeting with your colleagues on either Thursday or Friday to discuss possible ways of limiting the legal costs and whether one legal representative could complete the case on behalf of the victims.

I am, therefore surprised at the content and tone of your letter of 23rd instant which does not reflect the deep concern you said you had felt about the legal fees being charged in this matter as "getting out of hand".

For the sake of the record, I am obliged to respond to certain of the allegations you make in your missive.

Firstly, when you phoned me on 21st instant to enquire whether we had received your fee statements in the sum of R184 769,00 I indicated to you that we were alarmed at the amount of the fees claimed. I also informed you that we required clarity on certain of the items where fees higher than the formerly agreed rates had been claimed.

Secondly, I indicated to you that the fees for victims in this matter were exceedingly high and that the victims were essentially being represented by one legal team. The rendering of separate accounts has the effect of a triplication of legal costs.

Thirdly, I indicated to you that it was our view that most of the work on behalf of the victims during the hearing was repetitive of nature that it was possibly now time to review whether three separate Counsel were necessary to safeguard the victims interests.

Fourthly, I indicated to you that the TRC was accountable to the offices of the Minister of Justice and Auditor-General for the expenditure towards legal costs and that there was a concern from these quarters as well as from the CEO of the TRC about this type of expenditure generally as we were accountable for the expenditure of public funds.

I also told you that at the end of the day the TRC would be called upon to give an account of such expenditure.

In the present case where your fees are likely to be in the region of R500 000 there is even more likely to be public scrutiny as to whether this expenditure was reasonable and necessary.

It was in this context that I informed you that as National Legal Officer I could not simply recommend the payment of your fees as per your submitted statements and that we needed to discuss these issues further.

	R36 081-00	paid	06/05/1999
Nicolls Cambanis	R56 074-95	paid	10/12/1998
	R52 696-10	paid	14/04/1999

In fact, Adv. Berger's fee statement dated 31 May 1999 indicates that the fees should be paid by the 7 September 1999 in terms of the Bar Rules.

We are in terms of our mandate (Act 34 of 1995) obliged to properly account for all expenditure and therefore reserve the right to satisfy ourselves that any legal fees to be paid are fair, reasonable and necessary in the circumstances and also to raise such matters with you that require clarification in respect of such fees.

We confirm that as soon as your fee statements have been properly perused and verified we shall recommend payment by the Legal Aid Board.

In this regard you will be receiving a request for further details of your accounts from our Legal Aid Officer, Ms Shireen Fillies in due course. However, and in order to resolve this matter in an amicable manner we invite you to meet with us at your earliest convenience.

Yours faithfully



**PADDY PRIOR
NATIONAL LEGAL OFFICER**

With Compliments

Nicholls, Cambanis & Associates

Attorneys, Notaries & Conveyancers

Suite 3919, 39th Floor
Carlton Centre
Johannesburg
2001

Telephone

331-6919

331-6910

331-6920/7/8/9

P.O. Box 8694
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2000

Fax: (011) 331-8691

Docex No. 631



Legal Department
 P O Box 3162
 CAPE TOWN 8001
 Fax: +27 21 424 5225
 Ph : +27 21 424 5207
 Your ref:
 Our ref : FB/sf

30 June 1999

Nicholls Cambanis & Associates
 Suite 3919
 39th Floor
 Carlton Centre
JOHANNESBURG
 2001

^{331 8423}
FAX NO.: (011) 333-8423

Dear Sirs/Madam

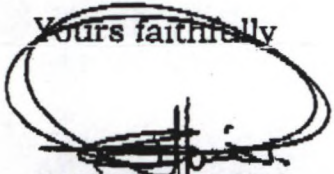
RE: BOIPATONG AMNESTY HEARINGS

We refer to the above matter, and more specifically our letter, reference PP/rsb/let, dated the 24th June 1999 in respect of which a response is still required.

As you are aware that the hearing has been scheduled for a further two weeks in July 1999, and it is therefore of the utmost urgency that the matter of fees be resolved before the hearing.

In the circumstances, we urgently await your response.

Yours faithfully


PADDY PRIOR
NATIONAL LEGAL OFFICER

cc **Advocate Malindi**
Advocate Berger

106 Adderley Street, Cape Town, 8001. Tel:(021) 245 161 Fax:(021) 233 280 / 245 225.

Sanlam Centre, 10th Flr., Cnr.Von Wielligh & Jeppe Str., Johannesburg, 2001. Tel:(011) 333 6330 Fax:(011) 333 0832/6341.

Metlife Building, 9/10th Floor, 391 Smith Street, Durban, 4000. Tel:(031) 30/ 6/6/ Fax:(031) 30/ 6/42/49.

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 Your ref:
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30 June 1999

Nicholls Cambanis & Associates
 Suite 3919
 39th Floor
 Carlton Centre
JOHANNESBURG
 2001

FAX NO.: (011) ^{331 8691} 333-8423

Dear Sirs/Madam

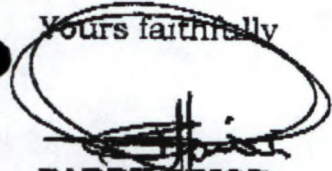
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Yours faithfully


PADDY PRIOR
NATIONAL LEGAL OFFICER

cc **Advocate Malindi**
Advocate Berger

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E-mail: mjoyi@global.co.za Internet: <http://www.truth.org.za>



Legal Department
P O Box 3162
CAPE TOWN 8001
Fax: +27 21 424 5225
Ph : +27 21 424 5207
Your ref:
Our ref : BOIPATONG/sf

5 July 1999

ATTENTION: Adv Malindi
Ms Cambanis

Advocate DI Berger
 922 Innes Chambers
 84 Pritchard Street
JOHANNESBURG
 2001

FAX NO.: (011) 333-8423

RE: BOIPATONG AMNESTY HEARINGS - YOUR FEES

We refer to your statement of account, attached to the letter written by Crystal Cambanis, reference, CRYSTAL CAMBANIS/hm., dated the 10th June 1999.

Kindly be advised that we cannot authorise payment of your account because it lacks sufficient detail to enable us to ascertain whether the fees charged by yourself are justifiable.

In the circumstances, kindly provide us with a more detailed account wherein you stipulate with regard to fees claimed for reading and preparation the following:

1. a list of the documents read;
2. how many pages did the documents comprise;
3. what did your preparation entail,
4. if possible, provide us with proof of such preparation;

Kindly also provide us with a summary of the work that have thus far been done by yourself.

According to Crystal Cambanis' letter, dated the 3rd of July 1998, it was agreed that you and Ms Cambanis will represent 20 clients each. In other words you were acting independent of and separate from each other. In the circumstances, we cannot authorise payment of fees for consultation between yourself, Ms Cambanis and Advocate Malindi. The **Regulations** in terms of **Section 34(1) of Act 34 of 1995** are quite clear and unequivocal in this regard. In terms of

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E-mail: mjoyi@global.co.za Internet: <http://www.truth.org.za>

regulation 8.1 of Circular 10 of 1996 of the Legal Aid Board, the legal practitioner selected must be willing to undertake the work unassisted.

We reiterate that apart from the appearance and consultation and preparation fees, all other fees, such as perusal of documents, will be paid in accordance with the prescribed tariff.

We await your response.

Yours faithfully



SHIREEN FILLIES
LEGAL OFFICER

CEO

06/07/99 TCO Shereen Filles 10.34

- 021 424 5161

Paddy Prior: 082 451 3276

Shereen on leave: back next Monday.

Dalmarie Tomas: took message for Paddy + Shereen
took my cell no.

- 10.40 Paddy call

ADV L.J. LOWIES

13 th Floor Schreiner Chambers, 94 Pritchard Street
JOHANNESBURG

Tel: 337 1160 Fax 333 1449 (Cell: 082 893 8661)
[e-mail: klowies@bigfoot.com]

Our Ref: ADV KOBUS LOWIES
Your Ref: Advocate P Buirsky

Date: 3 May 1999

Advocate P. Buirsky
10 th Floor
Innes Chambers
Pritchard Street
JOHANNESBURG
2000

Dear Adv Buirsky

**TAXATION LEGAL AID BOARD MATTER: BOIPATONG MASSACRE : TRC
HEARING : VEREENIGING LEGAL AID REF 37195 1900/50278/97**

- 1) I attach hereto my accounts for March and April 1999 in the above matter.
- 2) I initially sent it through to my attorney without taxation and apologize for any delay in the matter.
- 3) Same fee as appearance in High Court of Appeal was agreed.

Regards

Kobus Lowies

BTW FAKTUUR

ADV KOBUS LOWIES

Schreiner Kamers 1312
 Pritchardstraat 94
 JOHANNESBURG
 Posbus 4555
 JOHANNESBURG

BTW Reg Nommer : 4588148627
 Faktuurnommer : 335
 Tel : (011) 337-1160
 Faks : (011) 333-1449

J.H van der Merwe Inc
 North State Building
 JOHANNESBURG
 2000

Datum	Dienste Gelewer	Bedrag
	In re TRC hearings for amnesty : Jack Mbele & 3 others: Boipatong Massacre : Vereeniging 1960/50278/97. Legal Aid Board Reference : 37195 : (High Court appeal tariff)	
02.04.99	On perusal of record & application by Nosenga & sect. 29 inquiry Sgt Pens +/- 400 pages 1 day	5000.00
04.04.99	On memorandum further instructions & outstanding aspects to be canvassed 2 hrs @ R625.00 per hour	1250.00
6-7.04.99	On perusal of TRC hearing : Mr V. Mthemba & summaries 2 days	10000.00
12.04.99	On persual of application at Vereeniging 1 day	5000.00
13.04.99	On consultation Mr Fredrich & Ms v.d. Westhuizen re calling of witnesses, memorandum 3 hrs @ R625.00 per hour	1875.00
15-16.04.99	On perusal of application +/- 800 pages & summary (2 days)	10000.00
19-23.04.99	On perusal of documentation application/criminal trial, exhibits & police dockets re: Peens, applicants & witnesses +/- 2500 pages (5 days)	25000.00
26-29.04.99	On perusal of documentation application/criminal trial, exhibits & police dockets re: Peens, applicants & witnesses +/- 2500 pages (4 days)	20000.00
30.04.99	On consultation Mr Fredrich, Rian Malan, Mr v.d Merwe, Adv Strydom & Ms v.d. Westhuizen plus gathering of information re application for information Sect. 32 of Constitution & TRC act 1 day	5000.00
	Less 25 %	-20781.25
	Betaling	
	Sub Totaal	62343.75
	BTW @ 14%	8728.13
	TOTAAL	71071.88

BTW FAKTUUR

ADV KOBUS LOWIES

Schreiner Kamers 1312
 Pritchardstraat 94
 JOHANNESBURG
 Posbus 4555
 JOHANNESBURG

BTW Reg Nommer : 4588148627
 Faktuurnommer : 330
 Tel : (011) 337-1160
 Faks : (011) 333-1449

J.H van der Merwe Inc
 North State Building
 JOHANNESBURG
 2000

Datum	Dienste Gelewer	Bedrag
	In re TRC hearings for amnesty : Jack Mbele & 3 others: Boipatong Massacre : Vereeniging ^{1900/5-0278/97} Legal Aid Board Reference : 37/95 : (High Court appeal tariff)	
16-17.03.99	On perusal of criminal record : First witnesses and judgement and instructions by attorney (+/- 800 pages 2 days @ R5000.00 per day) (court of appeal tariff agreed)	10000.00
26.03.99	On perusal of witness affidavits & violence report +/- 400 pages 1 day	5000.00
29.03.99	a) On perusal of records & area maps & documentary exhibits 1 day b) On consultation : Mr Fredrich & Ms v.d. Westhuizen 1 hour @ 625.00	5000.00 625.00
30.03.99	Pn perusal of record 400 pages	5000.00
	Less 25%	-6406.25
	Betaling	19218.75
	Sub Totaal	2690.63
	BTW @ 14%	21909.38
	TOTAAL	21909.38

ADV L.J. LOWIES

13 th Floor Schreiner Chambers, 94 Pritchard Street
JOHANNESBURG

Tel: 337 1160 Fax 333 1449 (Cell: 082 893 8661)
[e-mail: klowies@mweb.co.za]

Our Ref: KOBUS LOWIES
Your Ref: Mr Buirsky

Date: 27/05/99

Dear Peter,

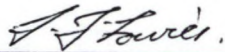
RE: My account: Jack Mbele

I refer to our previous telephonic conversation and my accounts which were sent to you for taxation.

I attach hereto a statement by my attorney setting out the volume of work which had to be done.

I trust that this would assist you.

Yours faithfully,



Kobus Lowies

Statement

I, the undersigned,

●
HANRO WILHELM FRIEDRICH

do hereby state as follows: -

I am a professional assistant at the firm J H van der Merwe Incorporated. The facts contained herein are true and correct and fall within my personal knowledge.

● I am the instructing attorney of Adv Lowies in the matter of Jack Mbele and 3 others.

The Applicants in this matter were all convicted in the High Court of South Africa after a marathon trial which lasted approximately one year. The criminal record consists of 5 605 pages plus exhibits and other documents. I would estimate the total volume of the record to be approximately 6 200 pages.

The Applicants thereafter appealed against their conviction and sentences of murder,

HWF

malicious injury to property, attempted murder etc to the High Court of Appeal. In the meantime however, they also applied for amnesty as they allege these crimes were committed with a political motive. [A fee equal to that of the fee applicable in criminal appeals to the high court of appeal was thus negotiated with the legal aid board.]

5. However, their application is strenuously opposed by the families of the 43 victims who were killed during the attack and approximately 165 other families who suffered damages and injuries. A crucial aspect in the application is whether the Applicants complied with the provisions of the TRC Act, specifically whether they made a full disclosure of all relevant facts. The main point of contention being whether they were assisted in the attack by the members of the South African Police Force or the South African Defence Force or other third force members.
6. Their application resulted in a full blown trial similar to the criminal hearing albeit on different issues of fact. When I briefed Adv Lowies, the matter was part-heard and the record in those part heard proceedings already comprised approximately 2 000 pages. *He had no prior knowledge of the facts of the matter.*
7. I briefed Adv Lowies with all the above documents plus copies of different police dockets, possible exhibits such as all registers, police registers and submissions to the Goldstone Commission, the TRC and other relevant documentation, such as the findings by the TRC pertaining to the massacre even

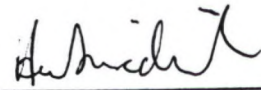
skw

though the application for indemnity had not yet been disposed of. It appeared that the matter may have been pre-judged by the TRC. This also had to be canvassed.

8. To crown it all, it appeared that a certain Nosenga, according to my instructions, were planted by other parties to also apply for indemnity and to incriminate the Applicants in other acts of violence and to incriminate them in co-operation with third force activities. These allegations are vehemently denied by my clients. This aspect is highly relevant to the requirement of full disclosure.
9. It was further important to show that Nosenga was not even in the township on the date of the massacre and it was necessary to test his credibility as to the specific routes which the attackers followed during the night of the massacre, thus proving that Nosenga could not have been present as the detailed information would fall outside his knowledge. A detailed study of the routes followed by the attackers during the attack was necessary.
10. Adv Lowies was specifically briefed to peruse all police statements as it was not exactly known which witnesses were going to be called by the victims in their opposition of the application. I instructed him to reserve approximately 22 days for preparation, which he has done.
11. The agreement was that he would revert to me on a daily basis regarding progress

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in the matter and, to the best of my knowledge, I am in a position to state that I have no reason to doubt the correctness of his statement as I estimate the total volume of documents to be perused to be in excess of 10 000 pages.

A handwritten signature in cursive script, appearing to read "J. Smith", written above a horizontal line.

DEPONENT

**Legal Department**

P. O. Box 3162
Cape Town
8000

Telephone: 021 424-5207
Fax Number: 021 424-5225

FOR ATTENTION :
FROM:
TELEFAX NUMBER :
DATE :

Adv. D. L Berger
Enver Moothoosamy
(011) 333-8423
16 July 1999

Dear Adv. Berger

BOIPATONG AMNESTY HEARINGS

This is to confirm our telephonic conversation of even date that the legal representatives of the victims involved in the Boipatong Hearing should continue representing these victims.

However, we would appreciate it if you could bear in mind the containment of the cost factor.

Yours faithfully


ENVER MOOTHOOSAMY
LEGAL OFFICER

Collection Number: AK2672

Goldstone Commission BOIPATONG ENQUIRY Records 1990-1999

PUBLISHER:

Publisher: - Historical Papers, University of the Witwatersrand

Location: - Johannesburg

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