

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

Case No: 13394/18

In the matter between:

**COUNCIL FOR THE ADVANCEMENT OF THE**

**SOUTH AFRICAN CONSTITUTION**

Applicant

and

**THE PUBLIC PROTECTOR**

First Respondent

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**AMENDED NOTICE OF MOTION**

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**KINDLY TAKE NOTICE** that the Applicant intends applying to this Honourable Court for an order in the following terms:

- 1 Declaring that, in investigating and reporting on the Vrede Dairy Project for purposes of her Report No 31 of 2017/18, dated 8 February 2018, the Public Protector failed in her duties under sections 6 and 7 of the Public Protector Act and section 182 of the Constitution.
  
- 2 Reviewing and setting aside, and declaring unconstitutional, unlawful and invalid, the Public Protector's Report No 31 of 2017/18, dated 8 February 2018.

- 3 The costs of this application are to be paid on an attorney-client scale by the Public Protector in her personal capacity, alternatively in her official capacity.
- 4 Further and/or alternative relief.

**TAKE NOTICE FURTHER** that the founding affidavit of **PARMANANDA NAIDOO** (together with its annexes) will be used in support of this application.

**TAKE NOTICE FURTHER** that the Applicant has appointed the office of its attorneys, as set out below, as the address at which it will accept notice and service of all documents in these proceedings.

**TAKE NOTICE FURTHER** that should the Public Protector wish to oppose the order prayed for in this Amended Notice of Motion, she is required:

- (a) Within 15 days from the date of receipt of this amended notice of motion, deliver a notice to the Applicant's attorneys that she intends to oppose this application;
- (b) Appoint an address within 8 kilometres of the office of the Registrar at which she will accept notice and service of all documents in this application; and
- (c) Within 30 days of delivery of any notice of intention to oppose, deliver her answering affidavit, if any.

**TAKE NOTICE FURTHER** that if no notice of intention to oppose is delivered, this application will be set down on an unopposed basis and proceed on a date to be determined by the Registrar of the above Honourable Court.

DATED at DURBAN on this 23<sup>rd</sup> day of April 2018.

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**LEGAL RESOURCES CENTRE**

Attorneys for CASAC  
11<sup>th</sup> Floor, Aquasky Towers  
275 Anton Lembede Street  
Durban

Tel: (031) 301 7572

Email: sharita@lrc.org.za

Ref: S.Samuel

**C/O GILFILLAN DU PLESSIS**

1<sup>st</sup> Floor, LHR Building  
357 Visage Street  
Pretoria

Tel: (012) 320 2943

Email: louise@communitylaw.co.za

Ref: L Du Plessis

**TO: THE REGISTRAR OF**

**THE GAUTENG DIVISION, PRETORIA**

**AND TO: THE PUBLIC PROTECTOR**

175 Lunnon Street,  
Hill Crest Office Park  
Pretoria

Tel: (012) 366 7258

Email: NtsumbedzeniN@pprotect.org

Ref: N. Nemasisi