



Annexure B

**Date:** 23 May 2022

**Our Ref:** J REYNEKE/GEN/MAT1207

**Your Ref:** Ms. P. Sithebe

**THE STATE ATTORNEY, PRETORIA**  
**ATTENTION MS. P. SITHEBE**

**-BY EMAIL & HAND-**

Dear Madam,

**YOUR CLIENTS: MINISTER OF HOME AFFAIRS & THE GOVERNMENT PRINTING**  
**WORKS & OTHERS: CASE NUMBER: 27628/2021**

1. We refer to the above matter and your letters dated 19 and 20 May 2022.
  
2. The failure to deal with each and every allegation contained in your letters should not be construed as an admission thereof but rather as a denial.
  
3. We have considered your letters and we hold an instruction to place the following on record:
  - 3.1. As communicated to you on numerous occasions your application for leave to appeal against the 1 July 2021 order was filed out of time without a condonation application hence the operation of the court order was not suspended in terms of Section 18 of the Superior Court Act and your clients must fully comply with the court order.
  
  - 3.2. After filing your “condonation application” during November 2021 you did not take any further steps to advance this matter and you only uploaded the application for leave to appeal and condonation application on Caselines after receiving our letter dated 4 May 2022.

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- 3.3. After we launched our urgent contempt application and on 20 May 2022 you requested Judge Mosopa's registrar to furnish you with a date for the hearing of the application for leave to appeal against the 1 July 2021 order and judgment.
- 3.4. On the same day Judge Mosopa's registrar responded as follows to your request for a date:
- "Please ensure that there has been compliance with the Judge President's Revised Consolidated Directive. Once I have confirmation hereof from the Appeals Registrar, I will arrange a date for the application to be heard."*
- 3.5. Had you complied with the relevant directives, a date for the hearing of the application would have most probably been allocated.
- 3.6. Clearly your clients have not correctly pursued their application for leave to appeal; this flurry of activity appears as if they are merely trying to enrol the application to try and justify their continuous contempt of the court order.

**Your letter dated 19 May 2022:**

4. In your client's opposing affidavit to the main application that was heard during June 2021, it was stated that the server crashed during February 2021, causing the failure to publish gazettes.
5. In your letter dated 18 February 2022 you state that the system failure experienced during January / February 2022 was due to a crashed server.

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6. In your letter dated 19 May 2022 you again state that your clients' system challenges with the ICT infrastructure are due to an old and outdated server system which is causing a backlog that can only be processed days later.
7. More than a year has passed since the initial crash, yet your clients are still using the outdated server system which caused the initial fiasco; this implies that the root cause of the problem has never been addressed.
8. To summarise:
  - 8.1. The Legal Gazette A of 20 May 2022 has not been published;
  - 8.2. The notice to all stakeholders dated 10 May 2022 and your previous letter contains the telephone number of the contact centre. We tried calling the number, but it appears to be out of order.
  - 8.3. The above notice and your previous letter also contain email addresses that we sent emails to and received the following responses, please see attached:

***Delivery has failed to these recipients or groups:***

[eGazette Contact Centre \(info.egazette@gpw.gov.za\)](mailto:info.egazette@gpw.gov.za)

*Several attempts to deliver your message were unsuccessful and we stopped trying. It could be a temporary situation. Try to send your message again later.*

and

***Delivery has failed to these recipients or groups:***

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[submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

*Several attempts to deliver your message were unsuccessful and we stopped trying. It could be a temporary situation. Try to send your message again later.*

9. The similarities of the averments in your letters of 19 May 2022 and 18 February 2022 are disquieting, which merely supports the fact that nothing is really being done by your clients to address the real problem which in turn will ensure compliance with the court order.
10. Your offices opposed the urgent application and your clients' opposing affidavit was due to be served yesterday.
11. To enable us to properly consider the content of your letter, please furnish us with the following information by close of business today:
  - 11.1. The steps taken by your clients since February 2021 to address the ICT infrastructure problems / failures;
  - 11.2. Details regarding the "two-pronged approach" taken by your clients' technical team and the latest progress report;
  - 11.3. What process our client's members should follow in the meantime as the "interim measures" provided are of no use and are also not working;

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- 11.4. The reasons as to why certain gazettes are published weekly and others not (bearing in mind that the same process is followed in respect of the publications of Legal Gazettes A, B and C).
12. Our client's rights remain reserved.
13. Kindly acknowledge receipt and revert.

**Yours faithfully,**  
**JACO ROOS ATTORNEYS INC.**  
Signed electronically

Jana Reyneke  
[jana@jacoroos.co.za](mailto:jana@jacoroos.co.za)  
082 894 4324

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Genevieve Borman &lt;genevieve@jacoroos.co.za&gt;

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**PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022 -**

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Postmaster@gpw.gov.za <Postmaster@gpw.gov.za>  
To: genevieve@jacoroos.co.za

Thu, May 19, 2022 at 7:44 PM

**Delivery is delayed to these recipients or groups:**[lucky.makwarela@gpw.gov.za](mailto:lucky.makwarela@gpw.gov.za)

Subject: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022 -

This message hasn't been delivered yet. Delivery will continue to be attempted.

The server will keep trying to deliver this message for the next 4 days, 17 hours and 34 minutes. You'll be notified if the message can't be delivered by that time.

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Receiving server: bpxmb01.gpw.local (192.168.77.20)[lucky.makwarela@gpw.gov.za](mailto:lucky.makwarela@gpw.gov.za)

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Date: Thu, 19 May 2022 13:13:05 +0200

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Subject: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022 -

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X-MS-Exchange-CrossTenant-AuthAs: Anonymous

X-MS-Exchange-CrossTenant-FromEntityHeader: Internet

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Final-Recipient: rfc822;lucky.makwarela@gpw.gov.za

Action: delayed

Status: 4.4.7

Diagnostic-Code: smtp;400 4.4.7 Message delayed

Will-Retry-Until: Tue, 24 May 2022 13:18:27 +0200

 noname  
21K





Genevieve Borman &lt;genevieve@jacoroos.co.za&gt;

## PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022

Postmaster@gpw.gov.za <Postmaster@gpw.gov.za>  
To: genevieve@jacoroos.co.za

Sat, May 21, 2022 at 8:23 PM

### Delivery has failed to these recipients or groups:

[submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

Several attempts to deliver your message were unsuccessful and we stopped trying. It could be a temporary situation. Try to send your message again later.

### Diagnostic information for administrators:

Generating server: bpxmb01.gpw.local  
Receiving server: bpxmb01.gpw.local

[submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

2022/05/21 6:23:47 PM - Server at bpxmb01.gpw.local returned '550 5.4.300 Message expired -> 432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception:MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:76040000140000000000000010000000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0F010480, 4.25922:76040000'  
2022/05/21 6:06:48 PM - Server at bpxmb01.gpw.local (192.168.77.20) returned '432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception:MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:76040000140000000000000010000000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0F010480, 4.25922:76040000'

[Quoted text hidden]

Original-Recipient: [rfc822:submit.egazette@gpw.gov.za](mailto:rfc822:submit.egazette@gpw.gov.za)  
Final-Recipient: [rfc822:submit.egazette@gpw.gov.za](mailto:rfc822:submit.egazette@gpw.gov.za)

Action: failed

Status: 5.4.300

Diagnostic-Code: smtp:550 5.4.300 Message expired -> 432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception:MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:76040000140000000000000010000000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0F010480, 4.25922:76040000

----- Forwarded message -----

From: Genevieve Borman <genevieve@jacoroos.co.za>

To: <[submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)>

Cc:

Bcc:

Date: Mon, 16 May 2022 12:36:10 +0200

Subject: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022

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Good day,

The afore-mentioned matter refers.

Kindly find attached:

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- Proof of payment; and
- Quotation.

Kindly confirm the publication will appear on 27 May 2022 in the Government Gazette.

Kindly acknowledge receipt.

Vriendelike groete / Kindest regards,



**GENEVIEVE BORMAN**

Candidate Attorney

E-mail: [genevieve@jacoroos.co.za](mailto:genevieve@jacoroos.co.za)

---

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129 Gordon Road, Colbyn, Pretoria, 0083

Tel: (012) 430 7928 | Fax: 086 686 7768

PO Box 6871, Pretoria, 0001


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**3 attachments**

 **CourtOrder vOct2016 New.pdf**  
71K

 **12 - Quote.pdf**  
255K

 **JRA293 2022.05.13 PAID GPW INV 2209-2022 MAT1360 R151.32.pdf**  
197K



Genevieve Borman <genevieve@jacoroos.co.za>

Fwd: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022 -

Postmaster@gpw.gov.za <Postmaster@gpw.gov.za>  
To: genevieve@jacoroos.co.za

Mon, May 23, 2022 at 3:24 PM

Delivery has failed to these recipients or groups:

eGazette Contact Centre (info.egazette@gpw.gov.za)

Several attempts to deliver your message were unsuccessful and we stopped trying. It could be a temporary situation. Try to send your message again later.

Diagnostic information for administrators:

Generating server: bpxmb01.gpw.local  
Receiving server: bpxmb01.gpw.local

info.egazette@gpw.gov.za

2022/05/23 1:24:17 PM - Server at bpxmb01.gpw.local returned '550 5.4.300 Message expired -> 432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception:MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:760400001400000000000000000000 0000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0C000000, 4.25922:76040000' 2022/05/23 1:19:21 PM - Server at bpxmb01.gpw.local (192.168.77.20) returned '432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception:MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:760400001400000000000000000000 0000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0C000000, 4.25922:76040000'

Original message headers:

[Quoted text hidden]  
1652863630950; Wed, 18  
May 2022 01:47:10 -0700 (PDT)  
MIME-Version: 1.0  
From: Genevieve Borman <genevieve@jacoroos.co.za>  
Date: Wed, 18 May 2022 10:46:34 +0200  
Message-ID: <CANMvABDM3x6rc\_Cc6Cn-fi8HCVwk11Z-dyaeoHK=jGSW3=9ZWQ@mail.gmail.com>  
Subject: Fwd: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY  
2022 -  
To: <Nathie.Dlamini@gpw.gov.za>  
Cc: <James.Maluleke@gpw.gov.za>, eGazette Contact Centre  
<info.egazette@gpw.gov.za>, <InfoCC.Test@gpw.gov.za>  
Content-Type: multipart/mixed; boundary="000000000000960e7405df454d1d"  
Return-Path: genevieve@jacoroos.co.za  
[Quoted text hidden]

Final-Recipient: rfc822;info.egazette@gpw.gov.za  
Action: failed  
Status: 5.4.300  
Diagnostic-Code: smtp;550 5.4.300 Message expired -> 432 4.3.2 STOREDRV; mailbox database is offline; STOREDRV.Deliver.Exception: MailboxOfflineException.MapiExceptionMdbOffline; Failed to process message due to a transient exception with message Cannot open mailbox /o=GPW/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Configuration/cn=Servers/cn=BPXMB01/cn=Microsoft System Attendant. 1.41192:01000000, 0.49384:00000000, 4.51176:76040000, 0.48104:00000000, 4.39912:76040000, 1.41192:02000000, 0.49384:010FBA85, 4.51176:76040000, 0.48104:010FBA85, 4.39912:76040000, 1.41192:00000000, 1.49064:01000000, 16.38439:AC000000, 17.54823:760400001400000000000000000000 0000000000, 4.53361:76040000, 0.51859:010FBA85, 4.33649:76040000, 0.43315:010FBA85, 4.58225:76040000, 4.39912:76040000, 4.54129:76040000, 0.50519:0A000000, 4.59735:76040000, 0.59199:2C000000, 4.27356:76040000, 0.65279:70000000, 4.52465:76040000, 0.60065:00000000, 4.33777:76040000, 0.59805:010FBA85, 4.52487:76040000, 0.19778:010FBA85, 4.27970:76040000, 0.17730:0C000000, 4.25922:76040000  
X-Display-Name: eGazette Contact Centre

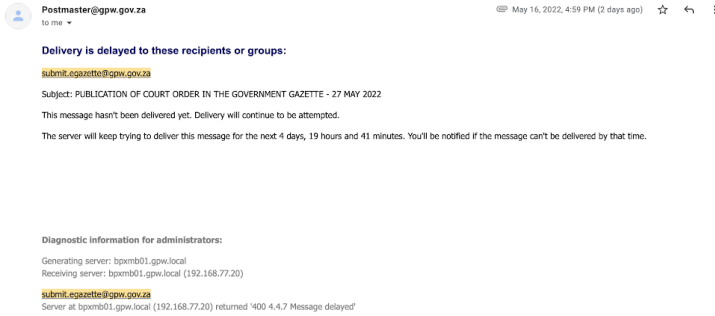
----- Forwarded message -----  
From: Genevieve Borman <genevieve@jacoroos.co.za>  
To: <Nathie.Dlamini@gpw.gov.za>  
Cc: <James.Maluleke@gpw.gov.za>, eGazette Contact Centre <info.egazette@gpw.gov.za>, <InfoCC.Test@gpw.gov.za>  
Bcc:  
Date: Wed, 18 May 2022 10:46:34 +0200  
Subject: Fwd: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022 -

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Good day,

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I have submitted the attached completed form and received a notification that the message is delayed.



Could you please advise whether the attached message was received and confirm that the publication will appear on 27 May 2022 in the Government Gazette.

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From: **Genevieve Borman** <[genevieve@jacoroos.co.za](mailto:genevieve@jacoroos.co.za)>  
Date: Mon, May 16, 2022 at 12:36 PM  
Subject: PUBLICATION OF COURT ORDER IN THE GOVERNMENT GAZETTE - 27 MAY 2022  
To: <[submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)>

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Vriendelike groete / Kindest regards,



### **GENEVIEVE BORMAN**

Candidate Attorney

E-mail: [genevieve@jacoroos.co.za](mailto:genevieve@jacoroos.co.za)

---

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5/24/22, 9:16 AM

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197K