

**The State Attorney  
Die Staatsprokureur  
iGqweta likaRhulumente**

1

4<sup>th</sup> FLOOR / 4<sup>de</sup> VLOER  
LIBERTY LIFE CENTRE / SENTRUM  
22 LONG STREET / LANGSTRAAT 22  
CAPE TOWN / KAAPSTAD / KAPA  
8001

Private Bag  
Privaatsak  
X9001  
CAPE TOWN  
KAAPSTAD  
KAPA  
8000  
e-mail address:  
gov.za



(021) 441 9200



(021) 421-9364

**DX: 156**

Enquiries/Navrae/Imibuzo: Ms Behardien

**My Ref./My Verw./ Isalathiso sam:  
4391/13/P4**

**Your Ref./ U Verw./ Isalathiso sakho:**

05 August 2014

The Honourable Mr Justice N C Erasmus

**C/O**

**MS LATEGAN**

Registrar of His Lordship Mr Justice NC Erasmus  
High Court  
Cape Town  
8000

Dear Judge

**RE: EVELYN WILHELMINIA PEASE AND ANOTHER / THE MINISTER OF  
EDUCATION AND 15 OTHERS**

**CASE NUMBER: 18904/13**

- 1 The recent electronic mails of advocate Lawrenson, dated 2 and 4 August 2014 refer.
- 2 We have now *ad nauseam* indicated to yourself that the First to Thirteenth Respondents vehemently object to the manner in which the Applicants, as represented by their junior counsel (it is not known whether senior counsel supports the bombardment that you have been faced with subsequent to the argument) abused the invitation extended by yourself when the matter was argued.

- 3 It is respectfully submitted that by extending the invitation when the matter was argued, it was not for one moment contemplated that the normal rules relating to procedure and the receiving of evidence in applications, has been dispensed with.
- 4 Since the matter has been argued before yourself (which in itself lasted approximately three days), you have been bombarded by material which the Applicants wish you to take into consideration prior to writing our Judgment. We have already in the past recorded our objection to the manner in which the Applicants have gone about the matter.
- 5 The latest attempt by the Applicants to, yet again place further information before you, is an example of the abuse which the Applicants have made themselves guilty of. The Respondents cannot conduct their case on a "*piecemeal basis*", especially in circumstances where the Respondents will not have the opportunity to fully ventilate the material now presented to you through our counsel in a considered argument.
- 6 We again note our objection, and humbly request you to ignore the further information the Applicants now again wish to place before you.
- 7 Without derogating from the foregoing it is in any event important to point out the following in respect of the information the Applicants now wish to place before you:
- 7.1 The Judgment by the Honourable Mr Justice Ebersohn (Acting), is not applicable or relevant for purposes of the Judgment you have to write. The writer hereof has taken note that the Applicants in any event have not indicated in their email what portion or portions of the Judgment is/are considered relevant for purposes of the matter before you. It is submitted that the only reason why the Applicants have failed to do so

is because they cannot point out any portion or portions relevant for purposes of your Judgment;

- 7.2 To rely on an article which appeared in the Sunday press is prejudicial in the extreme. We again humbly request you to simply ignore the reference to the article as it appeared in the Sunday newspaper.
- 8 The First to Thirteenth Respondents furthermore place on record that every time the Applicants have attempted to put further material before you, it necessitated the First to Thirteenth Respondents to refer the information to our counsel and that our counsel had to expend a substantial period of time to consider the further information and furnish the Respondents advice thereon. The Respondents' rights in these regard are reserved, including the right to recover costs from the Applicants as a result of the malicious attempts to place information before you after the matter had been argued.
- 9 We humbly request you to therefore ignore the further material placed before you.

Yours faithfully  
**THE STATE ATTORNEY**



**Per: G Behardien**  
/as

**CC: Adv N Lawrenson and**  
Via email: natalielawrenson@capebar.co.za

**Jonathan Mort Inc**  
Via email: jmort@mortlaw.net