TRIAL INTERLOCUTORY ROLL 10 JANUARY 2022

BEFORE THE HONOURABLE JUDGE WEPENER. J

VOOR SY EDELE REGTER WEPENER .J

SECREATARY: (MMoolman@judiciary.org.za)

Good day Ladies and Gentlemen

Re: TRIAL INTERLOCUTORY ROLL of Wepener J on 10 January 2022 at 10h00

Judge Wepener is sitting in the Trial Interlocutory Court on **10 January 2022 at 10h00**.

Please find attached hereto a copy of the roll for that day in front of Judge Wepener.

All the matters on the roll for that day in front of Judge Wepener will be heard on Microsoft Teams.

Here is the link for the hearing on Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19:meeting_YTAxNDZiYjUtYzY4Ny00ZGFjLWIwZmQtZGUzNGZlYmE0MmNl@thread.v2/0?context=%7B%22Tid%22:%22c83e2aea-897a-4fe9-ba0c-12e02388f238%22,%22Oid%22:%22f8409b74-735f-4977-88f8-0a5b69d3644c%22%7D

You will find also attached hereto a copy of the Directive issued by Judge Wepener regarding recording of matters on Microsoft Teams hearings.

The court does not accept any hard copies of documents nor does it accept any Notice of Motion, returns of service or affidavits by email.

Practice Notes and draft orders (in Word format) and or any Settlement agreements with any annexures that are referred to in the draft order must be uploaded onto Caselines and emailed to me before 16h00 on Wednesday 5 January 2022.

I have attached hereto an example of the format that the draft order (in Word format) that the parties have to send to me via email needs to be in. Please comply strictly to this format. (See end of this document)

Parties also need to email to me to my work email address (mmoolman@judiciary.org.za) and please CC my private email as well (at mornayluke@gmail.com) the following before **16h00 on Wednesday 5 January 2022.**

1. A copy of the Proposed draft order in Word format containing the Judges name, the date of hearing and all other relevant information and or any Settlement agreements and all the annexures referred to in the draft order and or Settlement agreement;

2. A Practice Notes from the Applicant and or the respondent containing all the names and email addresses of all the parties (attorneys, counsel) that need to be invited to the Microsoft Teams meetings with the estimated duration of the matter and issues to decide contained in it;

3. The Practice Notes must also confirm that no recordings of the hearing will be made by any party attending the Microsoft Teams hearing as per the Directive by Judge Wepener attached hereto.

If counsel do not email me their drafts in Word format, Practice Notes and Heads (if any) by **16h00 on Wednesday 5 January 2022**, their matters will be removed from the roll.

Please ensure that the details of the counsel that is moving the matter is at the bottom of the draft as per the Practice Manual.

Counsel and or attorneys that will be moving their matter /s at the Microsoft Teams hearing must to be robed.

Kind regards,

Mornay Moolman

Secretary to the Hon Mr Justice Wepener

High Court of South Africa

Gauteng Local Division

Johannesburg

w) 011 335 0549

c) 083 488 2787

The following Directives apply in any virtual court hearing before Wepener J as from 1 November 2020

1. Attention is drawn to the provisions of chapter 10.5 of the Gauteng Local Division Johannesburg Practice Manual dated October 2018 ('*the High Court Practice Manual*'), and in particular paragraph 1 thereof which provides:

> 'It is hereby emphasised that no person may film or electronically record judicial proceedings without the prior permission of the presiding Judge. The granting and the terms of any such permission is within the discretion of the presiding Judge…..'

2. Attention is further drawn to the provisions of paragraph 221 of the 18 September 2020 Consolidated Directive ('*the Consolidated Directive*') dealing with media access to virtual court hearings and which expressly provides that such Directive does not replace the provisions set

out in the High Court Practice Manual unless a deviation is specified and then only for the duration of the national state of disaster.

3. In order to ensure compliance with chapter 10.5 of the High Court Practice Manual during virtual hearings and to locate potential transgressors, any person to whom access is given to participate in a virtual hearing (or who is present at a virtual hearing) ('*the linked participant*') is: (a) to provide a list of all who are present with them during the virtual hearing; and, (b) the linked participant is to undertake not to record or to permit any other person to record any part of the proceedings without prior thereto obtaining the leave of the Judge in the manner prescribed in chapter 10.5 of the High Court Practice Manual.
4. Should any transgression occur in the presence of the linked participant, the linked participant is to disclose this to the Judge forthwith.
5. Failure to comply with chapter 10.5 of the High Court Practice Manual may, as recorded in paragraph 7 thereof, lead to contempt of court proceedings.
6. The list and undertaking contemplated in paragraph 3 hereof, is to be provided to Judge's registrar by no later than 15 minutes prior to the commencement of any virtual hearing presided over by him mmoolman@judiciary.org.za. In any motion court, this means 15 minutes prior to 10h00 on the day of hearing.
7. Failure to comply with this directive will result in the matter being removed from the roll

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NO.	CASE NUMBER	PARTIES	GRANTED	DISMISSED	WITHDRAWN
1.	2014/41095	NTOMBIZODWA MAPLANKA (BORN: FIHLELA) vs CLEAPPER MAPLANKA			
2.	2017/0030819	NEGONDENI MOTSUNGA obo. vs MEC FOR HEALTH, GAUTENG PROVINCE			

3.	**2021/15771**	**THE SPAR GROUP LIMITED vs LIFESTYLE DINER PTY LTD**			
4.	**2013/16123**	**ITUMELENG PHELANE & OTHERS vs MEC FOR HEALTH, GAUTENG PROVINCE & ANOTHER**			
5.	**2020/1923**	**RMS G UNIT SECURITY (PTY) LIMITED vs THE BODY CORPORATE OF THE REEDS COMPLEX**			
6.	**2020/22539**	**AKASHNIE PILLAY vs THINESHWIN PILLAY**			
7.	**2018/15293**	**DAWOOD ABDOOL REHMAN MOHAMED ALI vs ZURICH INSURANCE COMPANY OF SOUTH AFRICA LIMITED**			
8.	**2021/29517**	**NALEDI CABLES (PTY) LTD vs MICHELLE MARSALA AND 2 OTHERS**			
9.	**2021/29518**	**SCALLAN'S TRADING COMPANY (PTY) LTD T/A NORTON & SCALLAN MINING SUPPLIES vs MICHELLE MARSALA AND 2 OTHERS**			

10.	**2021/34724**	**KUBASHNEE MOODLEY vs ROAD ACCIDENT FUND** **LINK NUMBER: 5018333**			

See next page for example draft order

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, JOHANNESBURG)

VIA Videoconferencing

Order granted electronically in accordance with the directives regarding special arrangements during the National State of Disaster.

Case No: xxxxxxxxxx

BEFORE THE HONOURABLE JUSTICE WEPENER

Date: xxxxxxxxxxx

In the matter between:

xxxxxxxxxxxx APPLICANT

and

xxxxxxxxxxxx RESPONDENT

This order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. The Order is further uploaded to the electronic file of this matter on Caselines by the Judge his/her secretary. The date of this Order is deemed to be 10 January 2022.

COURT ORDER

Having heard counsel and having considered the matter, it is ordered that:

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BY ORDER

THE REGISTRAR

Counsel for the Applicant: xxxxxxxxxx

Email address: xxxxxxxxxxx

Contact number: xxxxxxxxxxx