No on Roll	Parties	Case No	Judge's Notes	Decision
			Below are the notes and the outcomes of the Settlement Roll of FODEN AJ on 16 September 2020. **Those appearing on 18 September 2020 are requested to take note and not make the same mistakes.**	
Not on roll Enrolled as Z28 and order granted	Bezuidenhout L	19904/2019	Draft order at section S:6 can be made an order of Court. (Note that this matter does not appear on Foden's roll for 16 Sept 2020, but is on the roll of NEL AJ. Nel was not able to access the file, so matter will be enrolled as Z28 on Foden's Roll.)	Order Signed
Not on roll	MOLEBALWA: BAKANG LAZARUS	31415/18		
Not on roll	Nkosi SE	69236/15	In order. Draft to be made.	
Not on roll	Mfana v RAF	85163/16		
Not on roll	Maibela AC v RAF	96725/16	Heading, date etc of Draft order to be filled in. Interest rate in paragraph 3 should be 7.75% not 9.75%. Interest to run from 15 days after date of order if not paid in time. Should provision be made for an Undertaking, or is there already one in existence? Once the above are attended to, draft can be made an Order.	

A	**BAKANG L MOLEBALWA**	**31415/18**	There are no documents on the file and therefore it will have to be removed.	Removed
B	**XABA B R**	**1430/19**	Draft at 072 to be made an Order. Interest at 7.75%	Order Signed
C	**B KHOZA**	**40429/16**	No settlement docs Judge was emailed the settlement submissions and draft order. Draft may be made an Order	Order Signed
D	**MURIMIRA**	**5458/18**	Draft to be made an Order.	Order Signed
E	**G NDLANGAMANDLA**	**15061/18**	In order after fixing the date. Draft will be made an order. - To be removed – Already granted by Jordaan AJ yesterday.	Removed
F	**R S MTHOMBENI**	**81802/17**	No senior counsel is listed as being reserved for the matter. Final part of paragraph 4 of the order to be justified. (Plaintiff's attorney later confirmed that no SC was briefed. Draft to be amended to remove reference to SC fees.) Save as aforesaid, draft may be made an order.	Order Signed
G	**M W MOKOBANE**	**74142/17**	Will require address by counsel on appropriateness of R900k for generals. Draft order must address Contingency Fee Agreement. (Plaintiff's counsel addressed the Court telephonically and the court was persuaded.	Order Signed

			Order in word format will be emailed to Judge)	
H	**TUTU F THAE**	**36564/17**	Typo in the date of the order. Final paragraph in the order must deal with whether or not there was a valid contingency fee agreement and counsel must address me on this or include it in further settlement submissions. Save as aforesaid, settlement in order.	Draft order signed
I	**K C LESHALABE**	**61423/15**	Counsel should confirm that all other heads of damages have already been finalised, or that no other heads are claimed. If so, the draft will be made an order. (Plaintiff's attorney later confirmed all other heads are settled.) Draft therefore may be made an order.	Draft order signed
J	**K L A MAKHUBELA**	**92301/15**	Not satisfied with Proposal in support of settlement alone. Must address the Court. Particular focus is required on why a trust/curator is not needed for the plaintiff, and if not, why the quantum is so high. Plaintiff's Counsel addressed the court telephonically. Court is satisfied – Draft may be made an order of Court.	Draft order signed
K	**J E BARNARD**	**9852/18**	All in order.	Draft order signed
L	**M N MATHEBULA**	**23446/16**	No draft order or Settlement submissions uploaded yet. Assumptions in various actuarial calculations vary markedly. May need to be addressed on which one was chosen for settlement and why.	Stood down for plaintiff to send draft order and address Court. Will be removed if no response by 14h00 17 September 2020.

M	**C STONE**	**8096/18**	In order (Interim payment, should have been finalised.) All in order. Would have preferred final settlement rather than interim as costs wasted by RAF due to partial settlement. Draft at 008-02 to be made an order of Court.	Order signed
N	**LUDWE SEPTEMBER**	**37040/17**	Draft at 14-1 may be made an order.	Order signed
O	**G F MIYA**	**48384/11**	No Documents	Removed
P	**N S MOHLALA**	**66137/18**	The figures in the Memorandum of Settlement do not accord with the figures in the draft order. The figure in the draft order is reasonable, the figures in the memorandum of settlement are not. Draft order can be made an order of Court.	Order Signed
Q	**MANYEWE A MOFOKENG**	**41927/17**	In order. Draft to be made an order of Court.	Order signed
R	**JAN K SAMBO**	**64852/12**	Settlement figure is reasonable. Paragraph 3 relating to interest needs to be amended to reflect that if payment not made within 14 days, interest will run from 15 days after the date of the order.	Order signed
S	**M S MOKGOMOLA**	**79619/17**	Draft order needs the following amendments: Date in paragraph 2 – move to 30 September 2020. Interest in Clause 6.3 should be 7.75%, not 10.25%. Otherwise, in order.	Order Signed

T	**M N MASHABA**	**16704/13**	To be removed at plaintiff's request.	Removed
U	**FP MAGAGULA**	**17895/16**	Interest in paragraph 1.3 and 2.12 to be 7.75%, not 10%. Save as aforesaid, in order and Draft can be made an order.	Order signed
V	**T J SEDITI**	**82249/17**	No documents	Removed
W	**K M HLONGWANE**	**24577/16**	No documents	Removed
X	**N P NTULI**	**76906/15**	No documents	Removed
Y	**MABYE M L**	**44152/16**	Order needs to be amended: Paragraph 1 says that merits are conceded but then says 60/40% The interest clause in paragraph 5 must say that interest runs from 15 days after the date of the order. Paragraph 6 must be amended to remove the costs relating to the attendance for settlement on "__" September 2020 (so remove from "plus the costs of..." The confirmation letter from the RAF is insufficient to justify the order. Proof is required that the RAF consents to the draft. (This is not contained in the Confirmation letter, section 075-751.) Please obtain letter consenting to the draft. Confirmation letter was emailed to the Judge. Amended draft order was emailed to the Judge. Draft may be made an order.	Order signed

Z	**T V PAHLAMOHLAKA**	**55132/16**	A paragraph must be added to the order dealing with whether or not there is a contingency fee agreement. Once amended an order may be made. (Attorney responded. Draft now in order.)	Order Signed
Z1	**T S L SKOSANA**	**6174/16**	In par 2 and 5 - Interest rate to be 7.75% Save as aforesaid, draft is in order.	Order Signed
Z10	**R C JONES**	**68068/18**	No documents	Removed
Z11	**REMEMBER NYAMUNDA**	**80712/15**	No documents	Removed
Z12	**C CHABALALA**	**70998/17**	No documents	Removed
Z13	**SALOME K RASHILO**	**74420/16**	No documents	Removed
Z14	**K N THUPAPHEKO**	**71340/17**	No documents	Removed
Z15	**T L MADALANE**	**81519/18**	No Documents	Removed
Z16	**MAEPA M R**	**2608/19**	In order. Draft to be made.	Order signed

Z17	**S P MDLALOSE**	**89644/18**	It is noted that defendant offered R600k, plaintiff accepted R700k, and the order is for R600k. Paragraph 4.1 – Counsel's fees for confirming the draft are not allowed under the practice directive. I propose allowing "Counsel's fees" and deleting the words "for confirming the draft." No settlement submissions as at 00h00. No contingency fee agreement attached or confirmed as being in order. These should be uploaded. (Submissions on settlement were emailed to Judge and accepted.)	Order signed
Z18	**P M MASHILO**	**39356/19**	Plaintiff's counsel is referred to paragraph 13 of the submissions on settlement. This figure does not accord (by more than a million) with the figure settled upon. There is no letter formally consenting to the draft order. It will be necessary to address the Court. (Plaintiff's counsel sent amended submissions on settlement to the Judge.) (A consent letter was sent to the judge, but this related to a different plaintiff (Nkama)) (Corrected consent letter then sent to the Judge.) Draft may be made an Order.	Order signed

Z19	**M L NCAMA**	**25890/19**	In Order. Draft at 001-03 may be made an Order. Contingency fee documents upside down and in strange order. Figure acceptable (generous.	
Z2	**MABASO D**	**92906/16**	There was a scanner glitch on the top half of each page of the draft order. Can be solved by sending order in .docx format or re-uploading. Paragraph 4, the interest clause, should be amended to the standard interest clause – 7.75% interest from 15 days after date of order, being the current applicable statutory rate. Similarly 4(c) to be amended to 7.75% interest if costs not paid in time. The practice directive precludes the granting of the fees of counsel for 16 September 2020. The first sentence of 5.2 to be removed. The word order in 5.5 should be fixed. It must be stated whether or not a contingency fee agreement is applicable, and if so, the submission must be made that it complies with the Act. As far as the settlement submissions are concerned I am not willing to make the order in the absence of an OT and Industrial Psychologist's report. Counsel may address the Court if so instructed. (Plaintiff's Attorney emailed an IP and OT's report. Plaintiff's counsel addressed the Court telephonically. Draft as amended may be made an order of Court.)	Order signed
Z20	**S W RADEBE**	**52922/19**	Merits order page 075-6 to be made an order of Court.	Order signed

Z21	**M R DA COSTA**	**7396/19**	Draft order at 018-12 can be made an order after correcting date and heading. Draft order was not emailed to Judge. Judge unable to download draft order from Caselines (not given right permissions.) Can not grant order until draft is emailed.	Matter to stand down to enable plaintiff to send draft. Will be removed at 14h00 on 17 September 2020 if no compliance.
Z22	**NAMU P L**	**64422/17**	The version of the Caselines folder that judge has access to has no documents. The version sent by the attorney exists, but judge has not been invited. Judge subsequently invited. Letter from RAF does not specifically consent to the draft order being made, only to the figures in the draft without reference to remaining aspects.	Matter to stand down to enable plaintiff to send consent letter. Will be removed at 14h00 on 17 September 2020 if no compliance.
Z23	**M B HLAHANE**	**10005/16**	Settlement docs were emailed. This is a linked matter with the loss of support claim of the other child, LEKHETHO which is before NEL AJ today. The draft in Hlahane is in order, save for the interest provisions which will be amended.	Order signed
Z24	**A M SEGOPOLO**	**83364/17**	In order. Draft may be made order of Court.	Order signed
Z25	**SHIBAMBO M B**	**41329/19**	Only the summons and one expert notice is up on caselines. Judge was emailed the submissions on settlement, order and consent letter. The draft will be made an Order, Interest to be 7.75%.	Order signed

			Plaintiff to upload the expert reports mentioned in the settlement submissions.	
Z26	**LAMOLA J MALOSE**	**50335/16**	Settlement docs not uploaded yet.	Removed
Z27	**MACHOVANI R**	**8844/17**	No documents	Removed
Z3	**T E NCHOE**	**80820/17**	I have been invited to the unopposed motion to compel rather than the trial file on caselines. If this matter is supposed to be on the Settlement Roll, I should be invited to the trial caselines folder. Was then invited to the correct file. Order to be granted.	Order Signed
Z4	**C SIBOIYA**	**8904/19**	Assuming order can be made: Interest in paragraph 3 and also par 6.3 to be 7.75% not 10%, 15 days after the order is made. Delete either 3 or 4 after correcting it. Memorandum on settlement is too sparse. Counsel will have to address the Court on both general damages and Loss of Earnings.	Matter stands down. Plaintiff's counsel to make contact with judge to address settlement. In the absence thereof matter will be removed at 14h00 on 17 September 2020.
Z5	**S NKOSI**	**64499/17**	No confirmatory letter from the RAF. No mention of Contingency Fee Agreement in the Draft Order. Submission document is too sparse with reference to the reports. Counsel will be requested to address Court on the settlement Counsel addressed Court telephonically.	Order Signed

			Satisfied re quantum and contingency fee agreement. Draft to be made an order of court, interest provisions to be corrected.	
Z6	**FOURIE J F**	**93676/16**	Under par 2 – Insert Interest payable from 15 days after date of order. Under 4.2 – "including settlement and/or professional fee" to be removed. (In terms of Practice directive.) Counsel requested to confirm that Contingency fee agreement is in accordance with the Act. (It is noted that plaintiff was generously compensated on Generals.) Once the above is attended to Draft can be made an Order.	Matter will stand down to enable plaintiff to comply. If no compliance by 14h00 on 17 September 2020 the matter will be removed.
Z7	**R MOOSA**	**13079/17**	The actual offer from the Defendant is not visible on caselines (see 021-3.) Proof that the figure was offered and that the draft order is acceptable to the RAF is needed. Assuming the above is made available: Interest rate in paragraph 2 and 5 of the order should be 7.75%, not 10%. Paragraph 3.1 - Counsel to address on the need for 6 trial bundles, given the new electronic way of doing things. Otherwise I would order 2. Save as aforesaid, in order.	Matter will stand down to enable plaintiff to comply. If no compliance by 14h00 on 17 September 2020 the matter will be removed.
Z8	**T J MOKONE**	**80210/19**	Order already granted on 27 August 2020 – Caselines 074.	Removed
Z9	**P A MAKOFANE**	**78763/18**	Order already granted on 27 August 2020	Removed