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

Case Number: 90080/18

In the matter between:

PAUL O'SULLIVAN	First Plaintiff
PAUL O'SULLIVAN AND ASSOCIATES	Second Plaintiff
MELISSA NAIDU	Third Plaintiff
and	
NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS	First Defendant
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES	Second Defendant
MINISTER OF POLICE	Third Defendant
JABULANI MLOTSHWA	Fourth Defendant
MAJOR GENERAL PRINCE MOKETEDI	Fifth Defendant
WARRANT OFFICER JOSHUA JACOBUS VLOK	Sixth Defendant
LIEUTENANT – GENERAL VINESHKUMAR MOONOO	Seventh Defendant
COLONEL AMOD KHALIL HOOSEN	Eight Defendant
DUDUZILE MYENI	Ninth Defendant
JOHANNES KHOMOTSI PHALANE	Tenth Defendant
MICHAEL MASHUGA	Eleventh Defendant

Certified a true copy of the original filed in this office.
Geseertifiseer 'n ware afskrif van die oorspronklike getuienis in hierdie hantoor.
REGISTRAR OF THE HIGH COURT
GRIFFFIER VAN DIE HOOGGEREGSHOF

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA GAUTENG DIVISION, PRETORIA
PRIVATE BAG/PRIVAATSAK X67
PRETORIA 0001
2018 -12- 14
L. W. MOTAU
GRIFFFIER VAN DIE HOË HOF VAN SUID AFRIKA GAUTENG AFDELING, PRETORIA

COMBINED SUMMONS

To the Sheriff or his deputy:

INFORM

NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS, who is cited herein in her official capacity as the head of South Africa's National Prosecuting Authority by virtue of Section 179(1) of the Constitution read with section 5 of the National Prosecuting Authority Act, 32 of 1998 (*"the NPA Act"*) and whose offices are situated at VGM Building (Corner Westlake & Hartley), 123 Westlake Avenue, Weavind Park, Silverton, Pretoria.

(hereinafter called the FIRST DEFENDANT)

MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT who is cited herein in his official capacity as the Cabinet Member responsible for the administration of justice and has final responsibility over the National Prosecuting Authority in accordance with section 179(6) of the Constitution read together with sections 33(1) and (2) of the NPA Act cited in care of the State Attorney: Pretoria with offices situated at SALU Building 316 Thabo Sehume Street, Pretoria 0001.

(hereinafter called the SECOND DEFENDANT)

MINISTER OF POLICE cited herein in his official capacity as the Cabinet Member responsible for policing and determining national policing policy after consulting the provincial governments and taking into account the policing needs and priorities of the provinces in accordance with section 206(1) of the Constitution and who appoints the National Head of the Directorate for Priority Crime Investigation (*"the Hawks"*) in accordance with Section 17C(2)(a) of the South African Police Service Act, 63 of 1995 (*"the SAPS Act"*) read together with Section 17CA(1) of the same statute and is cited care of the State Attorney: Pretoria with offices situated at SALU Building 316 Thabo Sehume Street, Pretoria 0001.

(hereinafter called the THIRD DEFENDANT)

JABULANI JACOB MLOTSWA an adult male prosecutor, who was at all relevant times hereto, a prosecutor acting within the course and scope of his employment ~~with the first defendant in the Priority Crimes Litigation Unit with current place of~~ employment at VGM Building (Corner Westlake & Hartley), 123 Westlake Avenue, Weavind Park, Silverton, Pretoria and residing at 7 Osborne Road, Oakdene, Johannesburg.

*(hereinafter called the **FOURTH DEFENDANT**)*

MAJOR GENERAL PRINCE MOKETEDI an adult male, who was at all times relevant hereto, the Head of the Gauteng Branch of the Hawks and who held that office by virtue of Section 17C(1A) and (2) of the SAPS Act with current place of employment at ~~Wachthuis 321 Pretorius Street Pretoria and c/o the State Attorney~~ SALU Building, 316 Thabo Sehume Street, Pretoria.

*(hereinafter called the **FIFTH DEFENDANT**)*

JOSHUA JACOBUS VLOK an adult male warrant officer, who was at all times relevant hereto, in the employ of the South African Police Service, more particularly the Hawks and acting within the course and scope of his employment with place of employment unknown to the Plaintiffs c/o the State Attorney SALU Building, 316 Thabo Sehume Street, Pretoria.

*(hereinafter called the **SIXTH DEFENDANT**)*

LIEUTENANT – GENERAL VINESHKUMAR MOONOO a retired adult male officer formerly employed by the South African Police Service c/o the State Attorney SALU Building, 316 Thabo Sehume Street, Pretoria.

*(hereinafter called the **SEVENTH DEFENDANT**)*

COLONEL AMOD KHALIL HOUSEN a retired adult male officer formerly employed by the South African Police Service and residing at 52 Hylo Circle, Parlock, Marble

Ray, Newlands West, Durban, KwaZulu-Natal. and c/o the State Attorney SALU Building, 316 Thabo Sehume Street, Pretoria.

(hereinafter called the EIGHT DEFENDANT)

DUDUZILE MYENI an adult female businesswoman and former chairperson of the board of South African Airways, whose full and further particulars are unknown to the Plaintiffs currently residing at 102 Kolsterkring, Meer En See, Richards Bay, KwaZulu-Natal.

(hereinafter called the NINTH DEFENDANT)

JOHANNES KHOMOTSO PHALANE a former Acting Commissioner of Police c/o the State Attorney SALU Building, 316 Thabo Sehume Street, Pretoria.

(hereinafter called the TENTH DEFENDANT)

ADVOCATE MICHAEL MASHUGA a prosecutor in the employ of the NPA at 28 Church Square, Pretoria, c/o the State Attorney SALU Building, 316 Thabo Sehume Street, Pretoria.

(hereinafter called the ELEVENTH DEFENDANT)

THAT,

PAUL O'SULLIVAN an adult male forensic consultant, certified fraud examiner and businessman with identity number 550826 5700 085 residing at No. 7 Janine Road, Sandown Estate, Johannesburg, Gauteng.

(hereinafter called the FIRST PLAINTIFF)

PAUL O'SULLIVAN AND ASSOCIATES a private company with limited liability duly registered in accordance with the Company Laws of South Africa and registered under

registration number 2012/077700/07 with principal place of business situated at No. 7 Janine Road, Sandown Estate, Johannesburg, Gauteng.

*(hereinafter called the **SECOND PLAINTIFF**)*

MELISSA NAIDU an adult female forensic analyst born on 19 October 1987 currently employed as a Forensic Consultant at Deloitte with business address situated at 20 Woodlands Drive, Sandton, Johannesburg, Gauteng.

*(hereinafter called the **THIRD PLAINTIFF**)*

~~hereby institutes action against him in which action the Plaintiffs claim the relief and on the grounds set out in the particulars annexed hereto.~~

INFORM the Defendants further that if the Defendants disputes the claim and wish to defend the action, the Defendants shall -

- (i) Within 20 (TWENTY) days of the service upon the Defendants of this summons, file with the Registrar of this Court at **222 MADIBA STREET**, notice of Defendant's intention to defend and serve a copy thereof on the attorneys of the Plaintiff, which notice shall give an address (not being a post office or *poste restante*) referred to in rule 19(3) for the service upon the Defendants of all notices and documents in the action.
- (ii) Thereafter and within (TWENTY) 20 days after filing and serving notice of intention to defend as aforesaid, file with the registrar and service upon the Plaintiff a Plea, Exception, Notice to strike out, with or without a counter claim.

INFORM the Defendants further that if they fails to file and serve notice as aforesaid, ~~judgment as claimed may be given against them without further notice, or if having~~ filed and served such notice, the Defendants fails to plead, except, make application to strike out or counter claim, judgment may be given against them.

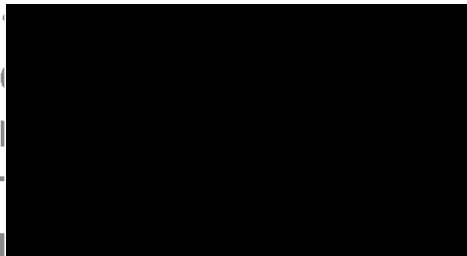
AND immediately thereafter serve on the Defendants a copy of this summons and return the same to the registrar with whatsoever you have done thereupon.

SIGNED at PRETORIA on this the¹⁴ day of DECEMBER 2018.

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

W.D. Spies

**ATTORNEYS FOR PLAINTIFF
HURTER SPIES INC.**



Ref.: W.D. Spies/MAT1872