

1. Date 7.11.2007 cell BN 10h25		
	Bus Day 7.11.07 Editorial about fact that it appears to be Mbeki's benefit when Zuma is not facing charges	
b. LM: He says he will speak to the man when he is back over the weekend, he feels very strongly that I should not see <u>the guy</u> directly c. BN: So that <u>he</u> has a shield, so that if this issue comes up then he is ok, it doesn't affect me	There is regular reference to the need to meet or discuss with the man, the other fellow or guy or he. In some cases it is clear that it is the President. In other cases it is not clear who is meant.	
d. BN: Read the Business day today – that line, you know about my statement beforehand but that fellow never spoke to me	Article on Gevisser book which states that Mbeki asked Zuma to resign before the prima facie statement	
e. ... f. BN: but it is still long way away (before you go) g. LM: the thing is happening in January boss, we even discussed it h. BN: Why do you wake me up in the morning for that: LM: The main thing is really my meeting with the other guy what come out of this. Judgement is on us much quicker than what I thought and I really must make a call	LM possible appointment to World Bank	Discussion of timing of charge of Zuma
j. BN: you know it is very interesting there is different points of view across the board k. LM: Do you want to join this dinner with Mzi l. BN: We had dinner on Sunday, quite a number of people were there, mine, Dlamini? m. BN: His view is complete opposite, he and Sam agrees with you i. I put a hypothetical question to them, lets assume the judgement comes out in next few weeks and its in favour of these guys, what must happen? ii. Mzi was the only one at the table who said we must do it now iii. If he is honest, he will tell you everyone else there disagreed		
n. LM: <u>Our guy</u> slipped out to the media that he wants nothing to do with this – your acting NDPE		
2. 7.11.2007 13h23	Continued discussion	
a. LM: I was not sure what wicket we ended b. LM: Are you now not going to see me as you initially indicated c. BN: I said I will wait until we hear what <u>this other fellow is saying</u> d. BN: There is not a wrong or right here e. BN: Nobody knows what the presentation is likely to be f. LM: Lets see what the aftermath is		
3. Date 9.11.07 16h20	Inappropriate	

a. LM : I promised Mzi a book and bottle of wine, I need his address to have it delivered	relationship
4. Date 26.11.07 20h43 a. BN: I am not very well at all, I am so shocked, trying to work on it, it's the shock. I need to time to work on it, just been shocked, shocked b. BN: remember said we thought we would get 5 – only got 4 i. Cant explain why lost so badly in ones we lost ii. Gauteng we can turn around – not a train smash, Northern Cape also, but they cheated iii. Not is just not normal to have such large majorities c. LM: There is something wrong there – either delegates don't want to show their hand now or they cooked the books d. BN: I just cant explain the majorities	Discussion about ANC provincial nomination conferences
e. f. LM: hmm g. BN: yabona h. BN: I just cant believe it, i. LM: Is he oraait, j. BN: I don't know. k. BN: I want to, I am trying to call him later tonite, he is in a meeting tonite, at Shell house of all places (laughs) l. BN: I will now have to compete with you for that job at the WB m. n. LM: I did what you said I should do and I must say, on Friday, I got strong memorandum that says charge and charge now - the team says we have been fucking around with this thing, they say I am allowing ulterior considerations – it will make it impossible to do it later – we now must take action and deal with it now Is another story. Will talk with you later.	LM to save the country
5. Date cell 6.12.07 16h20 BN a. BN: I am in Kimberley, do you have contacts here b. LM: only (mentions 2 names) c. BN: I am thinking which delegates I can go and see, who can take me d. LM: I don't have sufficient contacts, the 1 guy I know we are on verge of charging e. BN: Maybe we should f. LM: Your earlier view still stands g. BN: They have bought everyone h. LM: With money from where	BN request LM to identify potential ANC conference delegates in Kimberley to be lobbied
6. SMS from BN to LM Wednesday 12.12.07 [REDACTED] a. When are you filling (sic) b. We're stretched. It has tripled in size now. Likely to file tomorrow afternoon or Friday afternoon only. What up! c. BN: The sooner the better. Not later than tomorrow. It will assist a great deal	Refers to the NPA's reply to Zuma's application for leave to appeal to the Con Court in the search warrant matter. It was due on 14 Dec.
7. Date Wednesday 12.12.07 10h41 a. b. LM: We must have one of those Yengeni nights – remember we said we will not leave this fucking hotel until its done	The reference is to a meeting with Yengeni's lawyers that lasted late into

		the night
c. BN: If this thing comes out the way we discussed it yesterday, i. those key issues, right ii. it will be a devastating one for them, iii. and it will cause people will wake up to know what they are actually doing iv. without being dramatic, without you making arrests, v. this will say, this is what we have this is what we have, we are forced to state it now and people will wake up think what are we doing d. LM: Friday, by Friday people are packing bags, they won't even read the fucking newspapers e. BN: That is the thing, that is the thing, that is why it will be good if it can get out today (ie Wednesday) f. LM: Today is difficult, I will call a Yengeni night, not leaving here until we finalise this tomorrow morning, we file by lunch time and give it to the media, g. BN: you made my day	The NPA's reply to Zuma's application for leave to appeal to the Con Court in the search warrant matter was due on 14 Dec. This is a discussion about the need to file it earlier so that it can be reported in the newspapers before the delegates leave for Polokwane.	
8. Date Thursday cell 13.12.07 12h20 BN	Cont discussion about the need to file Con Court papers earlier	
a. LM: What is the mood like? b. BN: Is it out? c. LM: no no, I am just checking the pulse of securities d. LM: You know, I thought I will give call you once a day, twice a day to hear whether the position has not changed e. LM: That thing will only be filed tomorrow i. ... ii. I can only get so much out of these guys, we only worked to 10 past 11 iii. The kid wants to go on leave, WT is on leave and wants to see it, iv. So we will prob only file tomorrow at about 10 to 1, we have a date for 10 to 1 f. BN: how does it look g. LM: its ugly, you need someone who can nitpick and read through all that shit of 212 pages, and look at para 79 ... h. BN: Can you deliver a draft to my place? i. BN: I will be in Johannesburg j. LM: I will get, I will rather come myself, I don't want to take changes k. BN: No I will be late tonight, l. LM: I will wait for you, or see you first thing in morning. I don't want intermediaries here, m. BN: ok, your right, n. LM: Zuma will say we are conspiring against him o. LM: can I ask, the script has not changed yet, p. Ya, no q. LM: because (don't) feel like going to P and charging him there	The position or script are apparent references to whether Zuma should be charged before or after Polokwane	
r. LM: But listen, I think you guys must just keep your heads open about the "when" factor because I mean we will file our docs tomorrow, we will, Mpshe is going on leave tomorrow and I am acting.	LM undertakes to deliver a draft of the Con Court papers to BN personally to avoid it becoming known It is unclear whether he says he "do" or "don't" want to do this	
	The when factor is an apparent reference to whether Zuma should be charged before or	

	s. We will have our section 2e order and our our ... we will have finalized the processing of the decision	after Polokwane. The s2(e) order is a reference to the authorisation for a racketeering prosecution that must be issued by the NDPP
	t. BN: As long as you don't do it this weekend u. LM: If we hold it back, it will be because the clever people like you and others are saying to us that the country needs cool heads but I would hate to have been seen to be wrong later v. BN: just don't do it this weekend w. LM: it might change x. BN: I can't keep an open mind, you can't do it this weekend, our minds won't change y. BN: Just don't do it this weekend z. LM: I won't move this weekend, if this changes, just let us know aa. BN: it won't change	BN makes it clear that they do not want Zuma to be charged before Polokwane despite the fact that everything is in place to do so
9.	Date Friday 14.12.07 BN 11h38 a. LM: are you in position where I can drop something off or send someone to drop something off b. BN: drop it at home, not there yet c. LM: the one thing is a 8 pager, which you should read because it deals with whatever is new i. The rest is just same shit we have heard for the last 3 years d. e. LM: I want to get this to you, I can't leave it in envelope with drivers and things it is too risky. My guy can drive to where you are and give it to you f. BN: its not possible, in EL g. LM: Can also fax it to you, h. BN: I will give you a fax no i. LM: You must physically stand there and wait for it	LM prepares and sends a short summary of key issues that are newsworthy to BN for apparent distribution to the media
10.	Min J 14 Dec 07 10h32 a. LM: There is so much drama. I called Mosene yesterday about how to test the old man [REDACTED] b. The old man as in JS or [REDACTED] c. Zuma [REDACTED] d. LM: Have to file in CC today. e. I was talking to MM - don't want a loss of investors f. MM: Is it an indication that you are charging them? g. LM: They said they have made a recommendation to us [REDACTED] [REDACTED]	
11.	Date Friday 14.12.07 SMS time BN to LM a. BN sends a fax no. by SMS to LM	
12.	Date Friday 14.12.07 SMS time BN to LM a. Got it. Thank you very much b. LM: Hold onto it for a which, until (sic)	
13.	Date Friday 14.12.07 BN [REDACTED] a. LM: I just wanted to say its been filed, I am told you can show it even to the guy on the beachfront b. LM: It is in court, anyone can access it - I just got an sms, it was	LM informs BN that papers have been filed and can be

filed 3 min ago	distributed
c. ...	
<p>14. Date: 14.12.07 LM and F Davids</p> <ul style="list-style-type: none"> a. Soccer discussion b. Zuma wins, leave country - W/F discussion, why is Pres standing with talk to people people bet. Talk to people criticize TM [redacted] - Talks about how Z will do things, even if knocked out, will have people in place [redacted] - W/F painted as being disloyal to govt walked over to other side We started our saying he hates Z g. F: I wont ever be by a Z man, talk about someone in SIU favourable to Z camp 	
<p>15. Date 16.12.07 BN 15h13</p> <ul style="list-style-type: none"> a. BN: am back, I need to chat to you, b. BN: we must chat, ne c. LM: ja d. BN: I had a chat with this fellow, he's going to call you immediately after conference. <u>I met him yesterday</u>, I need to chat to you about it e. ... 	Apparent arrangement to meet the President – see call 24.
<p>16. Date 16.12.07 SMS exchange between Luciano to LM</p> <ul style="list-style-type: none"> a. LM: cats look defeated b. LM: I have been advised to give Ouboet & Oujan a break in the interest of SA.... Tenous times. QV? c. L: O Tempores a mores! Cui Bono? Primus Salus Pro Familia McCarthy et facimus novae vitae. d. LM: Don't have a dictionary, Meaning....? e. L: Tell you when I see you next wk for delivery of Christmas presents f. LM: Too Late g. L: Who is asking you? h. LM: High Power, can't disclose. Gov in power. Undertaking. i. L: What did Jesus say? Give to the emperor what is due to him and to the church what is due to her. You serve at the pleasure of the emperor. Any other choice wld mean not serving at the pleasure of the emperor j. I hear you emperor sir. They're asking for a review. What. k. Primus salus amicus et familia. That's the motto l. Yea. Threatening to expose no. 1 m. Approach hold even if Lume looses (sic) 	As far as can be established, Luciano is a private intelligence operative Ouboet is Selebi Oujan is probably Zuma The Christmas present appears to be information of some kind that is required Presumably a review of the cases
<p>17. Date 17.12.07 SMS exchange between Luciano to LM</p> <ul style="list-style-type: none"> a. L: Thought over night – 1. Recommend we help you find 2 sympathetic and credible international lawyers that can join each of the 2 reviews. 2. International component important for SA's reputation and your own. If carefully selected will support objective. 3. In ouboet's case need international component to deal decisively with o sullivan factor. Matter also high profile given K allegations, media interest and focus on crime in lead up to 2010. 4. Iro Oujan recommend a comprehensive review is done of ALL MLA and prosecution cases are done flowing from arms deal not just his by 	Proposal for what appears to be a further review panel for the Selebi (and Zuma) matters The Selebi review panel had concluded its work at the end of November 2007. K is probably Kebble

<p>review panel with international lawyers as you originally recommended. cont</p> <p>5. You can then deal with oujan in context of broader review.</p> <p>6. If you are going to do this in interest of SA recommended you request</p> <p>6.1 You submit review report to Special Committee of 4 ministers justice, intel, foreign affairs and safety and security. Do not take sole responsibility. Yr current line management structure will result in sole responsibility.</p> <p>6.2 Recommend you come to clear agreement about SAG support for the next phase of yr career including a date.</p> <p>6.3 You are going to need resources incl special budget because above all the media will have to be managed locally and globally. End.</p>	<p>SAG = SA Government? The review panels appear to be linked to the future World Bank position</p>
<p>18. Date 17.12.07 SMS exchange between Luciana to LM</p> <p>a. Thank you Captain. I'll digest. Will see what happens tomorrow. We'll talk when you're here. Keep Well. Luciana</p>	
<p>19. Date 17.12.07 BN 19h41</p> <p>a. ...</p> <p>b. BN: We do need to chat, but this one is going to call you when he gets back before he leaves for xmas</p>	
<p>20. Date: 18.12.07 [redacted] Mzi Khumalo</p> <p>a. Mzi calling LM</p> <p>b. Welcome back, bad day for the whole country</p> <p>c. LM: given all these assurances, scores are being made up. backdrop being worked away</p> <p>d. ...</p> <p>e. MK: we must now sit and talk seriously about what we are doing to [redacted] f. LM: [redacted]</p> <p>MK: Everyone expects that Z will be charged again</p> <p>LM: I saw that internal media all expect this. struck off etc. but will happen [redacted]</p> <p>LM: Did you get wine and book I sent you?</p> <p>LM: Lets be merry, regroup and live to regroup another day. wipe the dirt off our faces. [redacted] get cleaned up!!</p>	
<p>21. Date 19.12.07 SMS BN to LM 12h26</p> <p>a. BN: From now onwards you are on your own. It is imperative that you finalise your future plans pronto.</p> <p>b. LM: sorry</p> <p>c. Thanks, it's a sad day for our country</p>	<p>The morning after result of the election of the ANC office bearers in Polokwane was announced</p>
<p>22. Date 19.12.07 12h26</p> <p>a. LM: how are things going, are things ok</p> <p>b. BN: how can you ask, you know the agenda, you are a lawyer</p> <p>c. BN: what can they do, there 2 things they can do to me</p> <p>d. BN: Firstly, they can harrass and detain me day in and day out – have been through that before under the previous regime. I am not ashamed of the things I did, will stand my ground and fight them</p>	<p>Discuss outcome of Polokwane and possible harassment of BN</p>

e. BN: secondly, I don't think they want to do anything to me, they don't want to, they needed me, they are campaigning on this ticket, of being a victim. So they need me, that there was this conspiracy, that I got the President to give my wife Zuma's job	
f. ...	
g. BN: What I meant about my message: it is important that you sort out where you are going, immediately. And I think that the sooner you get out of that place, the better. Let them sort out their mess , this is not your responsibility, they want to sort out the mess, let them sort it out themselves	Refers to SMS above and to protect LM for the future
h. BN: There will be nobody covering your back, you are exposed completely, and I don't think you deserve that	
i. LM: I am still shocked	
j. BN: I am not worried about myself, they can try to harrass me, [REDACTED] [REDACTED] Worried about you	
k. LM: you saying I should leave this decision and let other people deal with it	
BN: Not saying that, I never said that. I am just talking about you know where you are going securing your future. I am talking about you personally, not talking about your work. I can afford an independent. I don't do business with government	
m. LM: ok, will see how things go, is the government going to do anything. Are they going to hustle together ...	
n. BN: wont see anything till mid January, people will rest now and see how things pan out	
23. Date Wednesday 19.12.07 BN 16h06	
a. BN: Hi	
b. LM: I say we want to move on Friday	
c. BN: ok	
d. LM: We have become so accustomed to checking with everyone whether they think it is fine ... and we have a minister who ... is going on holiday	
e. LM: I don't know if that other call you referred to will ever come, these guys are still humiliated	
f. LM: The longer we delay, the worse it becomes, we make it impossible for ourselves to proceed. If the guy wants us to meet and um .. and just do it	
g. BN: Ja	Probably Friday, 21 Dec
24. Date: 19.12.07, [REDACTED] Minister of Justice, President	
a. Min: There is no immediate emergency or anything?	
b. LM: there are things I need to discuss some things, incl the Z: difficult to see you before 8th	
c. M: Under pressure here under JS matter, why did it go to media that given Min a report, we have taken a decision Said to them on Thurs	
[REDACTED] Don't know where W stands on this. we are not going to brief the Min on anything. Already taken decision	
[REDACTED] Shifted, dont need to brief Min just do already	
f. Phone is handed to President	
g. Pres: Do you know who is talking?	
h. LM: It is the President	
i. LM: You will always be my president, you will always be my president	

j. Pres: The Minister told me some time back you had asked to see me, and indeed I agreed, but you will have seen my business k. Pres: Will do as soon as back from here, before I go on holiday, should be able to call you back before Friday l. Phone is handed back to Minister, and a short discussion takes place	
25. Date: 20.12.07 SMS LM and Luciana a. L: what time would be good for me to bring Christmas presents tomorrow morning? b. LM: Court Classique (gives address) c. L: I will be there. See you at 9. Thanks	Delivery of Christmas presents
26. Date: about 24.12.07 LM and F Davids LM: I am a man like you, just before Christmas. I am a live man, we are still wiping the blood from our faces. said or egg and blood from our faces. LM: Saw the man on Friday evening. We planning a comeback strategy LM: Once we have achieved that we will create up all around us, my friend.	Allegiance to Mbeki, confirm that they met, and are planning a comeback strategy
27. Date: 29.12.07 Minister of Justice a. DVD there i. Spoke to you in Ctn about my own intentions about the future ii. Met pres - wanted to brief you b. 2 things, the one: the heat is on i. I did ask NDPP ii. No ways people will accept as fair if you guys go to prosecute sooner, otherwise they will read conspiracy, and really the situation is bad iii. That's why they are pushing German (mug) - we must not think that these things will not come too late iv. That's why people were angry that there was even this slight deviation v. I then said to them, why cant you approach it gently, how do you charge now, appear in court in august? vi. I said no, did say it is prudent to go the route where there is no big gap c. Let me explain to Min what happened. d. we technically took the decision on 19 th Dec, slight defect in c sheet, re-signed on 24 th i. looked at law, serve at official address, could not serve on 27 th ii. then did on 28 th iii. we took the decision on 19 th , defect deleted, the sheriff wanted more copies, got him to sign again on 24 th , small mistake Tanda made, got him to sign again on 25 th vi. only managed to serve on 28 vii. hulley would not answer the phone ix.	Internally, it appears that the decision was made on 21 Dec, the same date LM met with the President
28. Date 9.1.08 a. LM: Can we speak on this line, is it prudent to speak on the phone	In Feb 2008 LM receives a copy of an intercept of a calls from his cell phone (it was
29. Date 10.1.08 a. LM: Can we speak on this line	

	recently published in a court case)
30. Date 3.4.08 a. Discuss the fact that he had been approached by World Bank and offered the position	World Bank position
31. Date 7.4.08 a. Discuss that the President and the Minister will have to endorse him and release him for World Bank position b. BN: They are going to release you, that's in December, they have known that.	World Bank position

c.

32. Min J 14 Dec 07 10h32

This process of drafting, consultation and assessment was completed by 11 December 2007 and the NPA is currently considering the matter as a whole with a view to taking a decision on prosecution.

33. Min J 29 Dec 07

- a. DVD there
 - i. Spoke to you in Ctn about my own intentions about the future
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 - ii. No ways people will accept as fair if you guys go to prosecute sooner, otherwise they will read conspiracy, and really the situation is bad
 - iii. That is why they are pushing German thing – we must not think that these things will not come up later
 - iv. That's why people were angry that there was even this slight deviation
 - v. I then said to them, why cant you approach it gently, how do you charge now, appear in court in august?.
 - vi. I said no, did say it is prudent to go the route where there is no big gap
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 - iii.
 - iv. we took the decision on 19, when defect, sheriff wanted more copies, got him to sign again on 24th small mistake I made, got him to sign again on 24
 - v.
 - vi. hulley would not answer the phone
 - vii. I am happy to do a plea, but I don't think they would
 - viii. M; Concern that must explain properly
 - ix. LM: ; Cant win public press war, should not comment
 - x. Why disturb xmas, to prevent undue delay
 - xi. The Pres is on leave, does not know about it, Min only told about it the day before
 - xii. I want to know our march on the JS thing,
 - xiii. memo to her
 - xiv. b; this is prosec matters, I don't think the pres should come in. previous problem was kicking in doors at armed sites, just you must do what you must do
 - xv. b; ndpp has now said – there is strong case against Z, CM statement is worse than BN one, cm statement makes it worse
 - xvi.

b.

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