${court}

CASE NO.: ${casenumber}

In the matter between:

**${onepname}** ${firstplaintiff}Plaintiff

${twop}

**${twopname}** Second Plaintiff

${/twop}

${threep}**${threepname}** Third Plaintiff

${/threep}

${fourp}**${fourpname}** Fourth Plaintiff

${/fourp}

${fivep}**${fivepname}** Fifth Plaintiff

${/fivep}

${sixp}**${sixpname}** Sixth Plaintiff

${/sixp}

${sevenp}**${sevenpname}** Seventh Plaintiff

${/sevenp}

and

**${onedname}** ${firstdefendant}Defendant

${twod}

**${twodname}** Second Defendant

${/twod}

${threed}**${threedname}** Third Defendant

${/threed}

${fourd}**${fourdname}** Fourth Defendant

${/fourd}

${fived}**${fivedname}** Fifth Defendant

${/fived}

${sixd}**${sixdname}** Sixth Defendant

${/sixd}

${sevend}**${sevendname}** Seventh Defendant

${/sevend}

${eightd}**${eightdname}** Eighth Defendant

${/eightd}

**NOTICE OF MOTION**

**TAKE NOTICE** that the Applicant will make application to this Honourable Court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at 09h00 or as soon thereafter as counsel may be heard for an order in the following terms:

1. That the superannuated judgement, granted on [date] in favour of the Applicant, be revived in terms of Section 63(b) of the Magistrates’ Court Act 32 of 1944.
2. Granting the Applicant leave to approach the clerk of the court to have a warrant of execution re-issued in terms of this order.
3. That such party as may oppose this application be ordered to pay the costs of this application.
4. Further and / or alternative relief.

**PLEASE TAKE NOTICE FURTHER** that the affidavit of [deponent]will be used in support of this application.

**PLEASE TAKE NOTICE FURTHER** that the Applicant has appointed the offices of Mellows & De Swart Inc, 43 Blaauwberg Road, Table View, Cape Town as the address at which it will accept notice and service of all process in these proceedings.

**PLEASE TAKE NOTICE FURTHER** that if you intend opposing this application you are required (a) to notify applicants’ attorneys in writing on or before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and (b) to file your answering affidavits on or before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;and further that you are required to appoint in such notification an address referred to in rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings.

**KINDLY SET THE MATTER DOWN FOR HEARING ACCORDINGLY.**

**DATED AT ${location} THIS \_\_\_ DAY OF ${month} ${year}.**

**MELLOWS & DE SWARDT INC.**

Attorneys for ${represent}

${ourdetailsd}

${ourdetails}

${/ourdetailsd}

TO: **THE CLERK**

Magistrate’s Court

${province}

${attorneyoned}

AND

TO: ${attorneyone}

${/attorneyoned}

${attorneytwod}

AND

TO: ${attorneytwo}

${/attorneytwod}

${attorneythreed}

AND

TO: ${attorneythree}

${/attorneythreed}

${attorneyfourd}

AND

TO: ${attorneyfour}

${/attorneyfourd}

${attorneyfived}

AND

TO: ${attorneyfive}

${/attorneyfived}

${attorneysixd}

AND

TO: ${attorneysix}

${/attorneysixd}

${attorneysevend}

AND

TO: ${attorneyseven}

${/attorneysevend}

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AND

TO: ${attorneyeight}

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AND

TO: ${attorneynine}

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AND

TO: ${attorneyten}

${/attorneytend}

${attorneyelevend}

AND

TO: ${attorneyeleven}

${/attorneyelevend}