

CURRENT PENDING MATTERS

ITEM NO:	TYPE	CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	INSTRUCTION DATE	STATUS QUO	
1	Public liability	9150/2014	M P MANYANGWANA	Warrant of execution	Sesele Attorneys	17/08/2016	Went to court and made copies of the file. Plaintiff claims R51 000, meanwhile he was paid R16 000 for his claim. Rescission of judgment to be applied for. Our attorney to argue the matter in court on the 17th of November 2016. Rescission successful. Our plea filed.	PENDING
2	Civil litigation	1936/2015	RESCUE ROD (PTY) LTD	Claim sounding in money for an amount of R166 497	Mhlokonya Attorneys		Matter went to court on the 17th of March 2016 & no settlement was reached. The matter is pending, and the summary judgment was dismissed. Recommendation by Infrastructure to settle the matter, as we still have a contract with our opponents. Proposal accepted to pay R88 000. Settlement agreement signed. Awaiting finance to pay	PENDING
3	Public liability claim	9349/2015	MARTINUS JOHANNES MEIRING	Public liability claim: the plaintiff's house was flooded by the sewerage water. Amount claimed R33 395,95	Sefo Attorneys # Guardrisk insurers	2015 December 07	Notice of intention to defend and the plea have been filed. Investigation by our insurance are still under way for a possible settlement. Meeting held with Mr. Vanga. Settlement amount proposed R33 395 & R3 000 for costs. MLM to pay an excess only.	PENDING
4	Civil litigation	2688/2015	MODISENYANA	Summons were served for an amount of R 3,256 456.56 million for a partial oral and partial written agreement for consultancy services i.t.o s78 Municipal Property Rates Act	Moroka Attorneys		Plea and replication were filed. Discovery from both parties have also been made. Awaiting Rule 37 minutes. Matter going to court on the 23 & 24 May 2017.	PENDING

5	Conveyancing	not in court yet	ERFS: 693 & 10707	Reversal of title deeds	Bahlekazi Attorneys		Report received, further instruction given to attorney. Draft affidavit received. Attorney instructed to proceed.	PENDING
6	Public liability claim	1340/2015	JA STROEBEL	civil claim for R470 000	Ngwane Attorneys	16/10/2015	27/11/2015 consultation with adv Edeling , inspection in loco arranged for 1/12/2015. Advocate to file a plea/ exception. Pre-trial conference to be held before the judge. Discovery affidavit has been signed by MM	PENDING
7	Civil litigation	4509/2016	FACTORING SPV (PTY) LTD	Received a notice of motion claiming R20 million.	Moroka Attorneys	01/10/2016	Notice to oppose has been filed. Awaiting the Counsel's affidavit to be signed by MM. Affidavit signed and filed.	
8	Civil litigation	924/2013	ESKOM HOLDING SOC	Eskom made an application for substantive relief. Written submission filed.	Majavu Attorneys		We have made an application to the Constitutional court and awaiting its decision w.r.t the contempt. Matter argued at the Con court. Judgment reserved.	PENDING
9	Motion proceedings	2241/2014	OPPENHEIMER GOLF CLUB	The applicant sought an order demanding the Respondent to amongst others to maintain the Witpan sewer. Claim damage amount to R 9 420 943.67	Moroka Attorneys		Notice of exception has been filed. Received information from Ms.Debbie Benson of Harmony. Sent through to Moroka Attorneys. Discovery affidavit received. Information to be furnished by Infrastructure dept and an action plan.	PENDING
10	Civil litigation	3116/2015	PHAKAMA SECURITY SERVICES	Enforcement of a contract. Claiming R 4 275 143.95	Moroka Attorneys	05/08/2016	Rescission of judgment application.Judgment received. Matter dismissed with costs. Full amount has been paid and their contract has been cancelled and ended on the 12th of November 2016. An applicationn to have the court determine the whether Phakama is entitled to the <u>interest</u> claimed, is pending.	PENDING

11	Civil litigation	2182/2015	HANNES PEYPER ATTORNEYS	Termination of Peyper Attorneys legal costs / fee agreements in the matter of De Bruyn	Moroka Attorneys		Peyper Att have requested reasons for termination. We have requested documents from them, so far no documents have been furnished. A reduced fee agreement was drafted, awaiting MM's signature. The matter will be heard in court on the 21st July 2016.	PENDING
12	Civil litigation	3635/2016	RENTAL COMPANY TRUST	A 5 claims emanating from contracts claiming a total amount of R 10 343 637,17	Moroka Attorneys		Notice of intention to defend has been filed by Moroka Attorneys. Consultation scheduled for the 12th November 2016. Consultation conducted. A plea to be filed. Awaiting court date	PENDING
13	Transfer reversal	not in court yet	Erf 10707 & 693	Application to reverse the transfers	Bahlekazi Attorneys		Application to be made in court. Instruction letter given. A draft received.	PENDING
14	Labour related matter	J626/2016	SAMWU obo 95 OTHERS	Application for review	Qwelane Attorneys	12/05/2016	Application to reverse the arbitration award by the Commissioner done, and the transcripts also filed. Settlement negotiation are underway.	PENDING
15	Labour related matter	J1183/2016	P O NOTSI	Application to confirm the arbitration award	Qwelane Attorneys	14/06/2016	The attorney to oppose the application to confirm the award. Both parties busy with filing of documents in court. Our opposing affidavit filed. Awaiting the replying affidavit.	PENDING
16	Public liability	5132/2016	ELLIOT MOLISE	Public liability R43 696,20	Sesele Attorneys	14/07/2016	Pothole damaged the tyres. The attorney to defend the matter and possible settlement to be negotiated.	PENDING
17	Public liability	3369/2015	BENJAMIN NDIPHIWE SAM	Public liability R90 851,00	Ngwane Attorneys	10/03/2016	Counsel's employee collided with the member of the public and caused his vehicle to be written off. Attorney awaits the notice of withdrawal from the opponents. Our attorneys have contacted attorneys on record. No response.	PENDING

18	Public liability	5462/2015	SHARDELOW	Public liability claim R18 845.02	Sefo attorneys	17/12/2015	Writ of execution was obtained against us. Application for rescission was successful. The attorney to file the plea. Matter going to court on the 09th of Feb 2017.	PENDING
19	Application to compel to give information	2050/2016	IZETTE HUIJINK-MARITZ	Request for information application	Majavu Attorneys		Notice of motion application. Attorneys filed rule 6 (5)d Legal points disputed.	PENDING
20	Civil litigation	3641/2016	ZANDILE MANAGEMENT SERVICES CC	Summons claiming two amounts: 1. R 1 368 443,210 2. R 29 432 210,50	Majavu Attorneys	Initially the 19/09/2014 but summons instructions on the 19th August 2016	Received summons on the 18th of August. sent through to Majavu Attorneys. Filed a plea and a counterclaim.	PENDING
21	Civil litigation	6355/2016	SOUTHERN AFRICAN MUSIC ORGANISATION LTD	Contract license to use certain music in a public place	Sesele Attorneys	06/09/2016	Received summons on the 06th of Sept, claiming an amount of R6 053,40 for breach of contract. Correspondence sent through to the Plaintiff, & no response yet.	PENDING
22	Public liability	1919/2016	CLOUTS I J	Summons received. Council's employees damaged the vehicle of the third party. They hit it with a pipe they used for sewer. Amount R 10 000	Insurance dept	06/06/2016	We received a writ of execution on this matter. R 10 000 to be paid as the insurance advised. Matter is still with MM as per budget Manager. MM to authorise payment.	PENDING
23	Labour related matter	J2201/13	SAMWU obo SITHOLE	Review application to reverse the decision of the Commissioner: Mohlala		11/05/2016		PENDING
24	Civil claim emanating from an employment contract		NTELEKI P M	MLM is instituting legal action in a form of an application for recovery of an amount of R 298 414.15 from Mr Nteleki	Tshangana Attorneys	15/09/2016	The founding affidavit has been drafted after the legal opinion was furnished. Matter finalised. Awaiting the court order as per Mr. Vanga	PENDING

25	Public liability	3657/2015	DAVID SEHLOHO	summons claiming an amount of R 26 695.69 for an accident caused between the employee and a third party.	Mhlambi Attorneys- Ngwane attorneys	04/03/2016	A plea has been filed. Reopening of the pleadings	PENDING
26	Civil litigation	1373/2015	SANDOWN CAPITAL	MLM received summons claiming R 4 233 375,00 for loan amounts advanced to the Municipal Councillors	Majavu Attorneys	??	Substantive affidavit resisting summary judgment, was successful. Prospects of success for the Municipality are good. A plea has been filed.	PENDING
27	Civil litigation	3551/2016	TSEKO ABEL MTHOMBENI	The Plaintiff hit a heap of rubble at Boitumelo shopping complex in a parking lot. Claims R132 371,40	Insurance department handling the matter and recruited Savage Jooste Attorneys.	09/09/2016	Received summons. Default judgement rescinded successfully.	PENDING
28	Civil litigation	7130/2016	MALERATA MOJI	The Plaintiff hit a pothole, claims R51 942.80.	Matter sent through to Insurance		Received summons. Need to send a letter of intention to defend.	PENDING
29	Civil litigation	01215/2016	PHUMELELE W XEPU	The Plaintiff hit a tree, claiming R54 980.	Guardrisk: Maree & Venote: Honey attorneys	10/10/2016	The attorney to file notice of intention to defend. An exception was filed. Matter going to court on the 07th March 2017.	PENDING
30	Conveyancing	No case number	ALLEGED ILLEGAL SALE OF LAND	Application to have the ervens reversed.	Bahlekazi Attorneys		MLM is to apply in court for reversal. Awaiting papers from attorney. The matter referred to Council for approval.	PENDING
31	Labour related matter	JR2294/2016	M MOLOI N.O & SALGBC	Application to have a point in limine reviewed.	Qwelane Attorneys		Affidavit signed by MM. Awaiting court date.	PENDING

32	Application to compel MM to sign	4781/2016	JACK MATELA	Application to compel MM to sign	Mhlokonya Attorneys	31/10/2016	Received instruction from MM per Mme Seekoei to oppose the matter. Consultation held on the 2nd December 2016 with Mr. Mhlokonya and Mr. Matoli. Awaiting a written submission from Housing dept. regarding this matter. Acting MM signed, and issue of costs pending in court.	PENDING
33	Labour related matter	1034/2016	MABOZA	Application to review	Lebea and Associates	19/10/2016	Awaiting the report from Lebea and Associates. Application for condonation made and Acting MM signed.	PENDING
34	Civil matter	1729/2016	FATIMA ISMAIL	Summons claiming an amount of R 150 000 for defamation of character, loss of income and profit.	Sesele Attorneys	09/11/2016	Notice of intention filed.	PENDING
35	writ of execution	721/2014	NTSOAKI JULIA MVUNDLE	received a writ of execution for an amount of R 204 397,55.	Honey attorneys and Van Wyk attorneys were instructed by Guardrisk.	11/11/2016	Insurance to settle the matter. Municipality to pay excess.	PENDING
36	Civil	5863/2016	MBV SECURITY	Notice of motion claiming R 16 602 133,48	Mhlokonya Attorneys	02/12/2016	The applicant claims the said amount based on the month-to-month commencing from 1st Oct 2012 until 31 August 2016. Settlement reached. Agreement to be signed by MM	PENDING
37	Application for review	720/2017	CHAMBER OF BUSINESSES	Notice of motion to have the decision made by NERSA to allow MLM to increase its tariffs reviewed and set aside.	Ngwane Attorneys		Notice to oppose filed. NERSA not opposing as per Kelebogile. Consultation held with the attorney on the 30/05/2017. Consultation scheduled on Friday the 2nd/06/2017. Jagertech to assist in opposing the matter.	PENDING

39	Court Interdict	692/2017	THANX TRADING	Applicant received a court interdict preventing the MLM from cutting the water and electricity.	Thabane attorneys	01/03/2017	Matter decided on default. Our founding affidavit is with the Acting MM.	PENDING
40	Civil litigation	8813/2016	LETLAPE SETSHEDI	Summons received by Council claiming R100 000 alleging fraud by Mr. Mofokeng. Also alleging vicarious liability.	Moloi Attorneys	16/01/2017	Notice of intention to defend has been filed. Attorney to file our plea.	PENDING
41	Civil litigation	2439/17	FIDELITY SECURITY	Summons claiming R92 456.14 for ditch dug which caused an accident	insurance department handling the matter and appointed Savage Jooste Attorneys.	25/04/2017	Summons alleging that a ditch was dug and was not barricaded. Investigation done and shows that the place was barricaded.	PENDING
	civil	2614/17	TNA MEDIA t/a NEW AGE NEWSPAPER	Summons claiming R163 565.51		25/04/2017		PENDING
	Civil litigation	2841/2017	M C XUMA	Summons claiming R21 774.Claim arose from vicarious liability of the employees of MLM, damaging the garages due to electrical work done.		12/05/2017	no notice filed yet.	PENDING
	Civil litigation	8519/2016	SAD PANEELKLOPPERS	Summons claiming R 162 689,06	Ngwane Attorneys	13/01/2017	Claim arose from towing the Defendant's vehicles and storage.Plea filed	PENDING

	Civil	2745/2017	HANTERRA CC	Summons disputing electricity bill of R55 234.63	Tim Thabane Attorneys	31/05/2017	Notice of intention to defend filed.	PENDING
	Civil	3560/2017	INISWA PROMOTIONS T/A GOVERNANCE FORUM	Summons claiming payment amounting to R 4 416,36	No attorneys		Payment made.Awaiting the notice of withdrawal of action.	PENDING
	OLD PENDING MATTERS							
	Civil litigation	4310/2014	DUMANSI TRADING	Summons were served demanding payment of R 209 246, 71. The amount claimed is alleged to be for Cession Agreement entered into by the Municipality and Patsa Civil	Maree Gouws Attorneys	2/10/2014	Notice to defend was filed on 10/10/2014, the plea was filed on 3/12/2014, Mr. Nel still awaiting further instruction from the Municipality.	PENDING

1	Civil litigation	3071/2014	DE BRUYN TRUST	Summons have been issued, for an amount of R305 662 59 for non-compliance i.t.o the deed of cession	Moroka Attorneys		Notice to discover and the discovery affidavit have been served. The attorneys are of the opinion that they need more information in order to discover.	PENDING
2	Civil litigation	5099/09	KOTH PROPERTIES	Summons were issued for an amount of R14.4 million by the Plaintiff alleging that the Municipality is in breach of contract for terminating its services	Moroka Attorneys		The matter was set down for trial on the 8th December 2015, and the Plaintiff's claim was dismissed with costs. Writ of excution issued but the attorneys cannot trace the Plaintiff to pay the costs. Tracing agent to be used.	PENDING
3	Civil litigation		MAREE VAN WYK	Claims for monies due and outstanding emanating from a contract amounting to R 20 000 000.	Moroka Attorneys		Forensic investigation is being conducted. Settlement proposal is discussed. Meeting was held on the 19th of January 2016, and no settlement agreed upon. Notice of motion has been filed by Maree Van Wyk as FACTORING SPV	PENDING
4	An investigation	No case number	TELECOM	Deductions were made on the Municipality's account even though those monies were not due to the service provider	Moroka Attorneys		Forensic auditors have been appointed to investigate.Awaiting forensic report	??
5	Legal opinion	Forensic investigation	RENTAL COMPANY TRUST	Deductions were made on the Municipality's account even though those monies were not due to the service provider	Moroka Attorneys		Forensic auditors have been appointed to investigate.Awaiting forensic report	??
6	Legal opinion	3532/2015	SPCA	The applicant approached court seeking an order for restoring of electricity	Moroka Attorneys		Consultation was held between the parties, no information has been supplied. SPCA contacted Moroka attorneys. Mr. Vanga is handling this matter.	PENDING
7	Civil litigation	7491/015	M B MOGOTSI	MLM instituted action against the Defendant for an amount owed by Mogotsi which is R26 666.12	Maree Gouws Attorneys		S65M was obtained from the Supreme Court of Appeal to bring Mr. Mogotsi to the Magistrate court for financial inquiry.	??

8	Labour related matter	RC151/2014	A KORB	Summons were issued by MLM for monies owed amounting to R 314 782	Maree Gouws Attorneys		The Plaintiff made a settlement proposal but proposal never manifested since 2014. The Respondents are not paying municipal rates and taxes	??
9	Labour related matter	JR 1094/2011	STRICKETT	Review application at the Labour court for decision taken at arbitration	Moroka Attorneys		A complaint has been lodged at Free State Law Society. Awaiting the FSLs	PENDING
10	A complaint	No case number	K M SELLOANE	Querying a tender	No attorneys yet		The party had a lease agreement with the then Counsel, and he subleased to a Dr. Tsatsi. The filling station was sold in 2005. He lost the tender. Received a letter from his attorneys.	PENDING
11	Civil litigation	1087/295	WORLEY PARSONS RSA (PTY) LTD	Summons were issued claiming an amount of R397 812.51 for services rendered for the project known as Matjhabeng Asset register	Sefo attorneys	01/04/2016	Application for summary judgement was heard on the 18th of June 2015, and judgement was in favour of the Plaintiff. Written reasons were requested from the Judge.	PENDING
12								
13								
14								

FINALISED MATTERS

CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	DATE MATTER WAS FINALISED	PROJECTED COST
JR1741/14	GREYLING	MLM instituted action against the Respondent in order to recover the erroneously paid amount of R298 414.15	Lebea and Associates		
5099/2009	KOTH PROPERTIES (PTY) LTD	R14,4 million was claimed from the Municipality. Koth Properties was appointed to prepare general valuation to be executed and completed. Time frames were not met	Moroka Attorneys	08th December 2015	
857/2011	RAMABULANA INVESTMENTS	Summons were served by the Plaintiff claiming R 1 517 940.78, for breach of contract and alleges performance	Moroka Attorneys	4/03/2015	

2359/2013	CHIEF CHUNDA	Summons were served by the Plaintiff alleging that he was appointed for the implementation of a water conservation and demand management program in February 2011. He further alleged to have discharged his obligations as per the agreement and as a result of the municipality's unlawful conduct he had suffered damages in the amount of R 6, 710, 263, 44.	Moroka Attorneys	28/06/2013	
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4089/2006	GJ JACOBS	Plaintiff claimed R 1 881 172 due to unfair dismissal award granted in its favour at the CCMA. The matter was defended.	Moroka Attorneys		
7532/2015	MMS	This is a matter arising out of summons issued against the municipality in the amount of R 2 870 649.26	Moroka Attorneys		
Civil litigation	3041/2014	TRIFECTA PROP 11 (Pty) Ltd	Attachment of immovable property as per court order at the HC	Maree Gouws Attorneys	

Eviction	AA60/2013	ABUARJA & 1 OTHER	This is an application to rescind an eviction order	Podbieslki Attorneys	
Civil litigation	2422/2010	FUJITSU SERVICES (PTY) LTD	Summons were issued, Plaintiff alleged that a contract was entered into for "Customer improvement service framework agreement". A total amount of R 7 051 941.35 is claimed	Podbielski Attorneys	11/06/2010
Civil litigation	73/2016	DOWN TOUCH INVESTMENTS	Application for review	Moroka Attorneys	

Quarter 3

CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	DATE MATTER WAS FINALISED	PROJECTED COST
No case number	TIRISAN TECH SOLUTIONS	Letter of demand : claim for R 197 220.00, Service rendered	none to date	#####	R 197 220,00

2766/2015	BARUCH	Applicant sought an interdict,	Kemi Attorneys	03rd March 2016	
	ERF: 8292,8293,8291	dispute concerning allocation of erf	Bahlekazi Attorneys	#####	
1172/2016	DOWN TOUCH INVESTMENTS	Urgent application	Moroka Attorneys	24th March 2016	
RC369B/2009	STATE V TSHABANGU	Allegations of water pollution	Moroka Attorneys	29th January 2016	
861/2015	JETVAC SA (PTY) LTD	Plaintiff is claiming R135 204, summons served	Mhlambi attorneys	06-Jan-16	

2556/2015	RAMASIMONG P DEVELOPMENT CONSULTANTS & PROJECT MANAGERS CC	this matter involves a claim for services rendered for MLM pursuant to a service level agreement	Ngwane Attorneys	25/06/2016	R 4 799 993.40
1369/2015	MOMSEM	Municipality instituted an eviction order against the Defendant herein, who have occupied municipal property unlawfully	Kemi Attorneys	#####	

QUARTER 4

CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	DATE MATTER WAS FINALISED	PROJECTED COST
3600/2016	CD EVANS	Notice to compel	NO attorneys as per MM	13-Jun-16	Application to have the Applicant's water restored. We have not opposed as per MM. Mme McBetty is of a different view. Matter going for hearing on the 13th of June 2016. Cost order against us of R3500.
2202/2016	PELATONA (PTY)LTD	An application for an interdict against MLM not to award the tender to SAME and Amadwala	No attorney	31/05/2016	
2516/2016	PELATONA (PTY)LTD	An interdict against MLM and SAME, and Amadwala	No attorney	03/06/2016	

A135/16	PELATONA (PTY)LTD	Application for review	Mhlokonya Attorneys	17/06/2016	
	SAMWU obo 95 OTHERS	APPLICATION TO INTERDICT	Qwelane Attorneys	26th May 2016	
	SAMWU obo SITHOLE & OTHERS	Contempt application	Qwelane Attorneys	30th May 2016	

QUARTER 1 2016-2017 FINANCIAL YEAR

1453/2014	MARIA MARGARETHA STRAUSS NO & OTHERS		Tshangana Attorneys	30-Aug-16	The matter was dismissed with reserved costs.
2202/2016	HT PELATONA PROJECTS (PTY) LTD	An urgent application to compel us to give reasons	Mhlokonya Attorneys	4th August 2016	Matter was to be heard on the 26th May, and the court dismissed the application & stated that there is no urgency.

QUARTER 2

	MP DUMA ERF:12665	Demolition application	Kemi Attorneys	03/03/2016	Application to demolish at erf 12665 to be done in court. Received the order. Demolition not yet done.
	ND MAHLANE & J MATOOANE ERF: 14162	Demolition application	Kemi Attorneys	03/03/2016	Received the order. Demolition not yet conducted.
No case number yet	CH BRAKEL: ERF 771 NAUDEVILLE	Demolition application	Kemi Attorneys	03/03/2016	Application to demolish at erf 771 Naudeville to be done in court. After consulting with Mr. Molefe, the Building Control Officer, the act of illegality is unclear to the attorney. The matter is kept in abeyance til further instruction by Mr. Molefe.

QUARTER 3

CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	DATE MATTER WAS FINALISED	STATUS QUO
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783/2017	MBV SECURITY	Interdict the Municipality from terminating the month-to-month contract	Moroka Attorneys	01/03/2017	
4405/2014	GOLDFIELDS RADIATORS	Summons were served claiming R10 million. Default judgment was obtained against us.	Moroka Attorneys	Mar-17	The rescission application was successful and a plea was filed. Notice to discover and the discovery affidavit have been served. Discovery done and pre-trial held on the 11th of April 2016. Matter at arbitration.
1753/2015	GOLDFIELDS RADIATORS	Summons were issued against the MLM, for an amount of R3 million for service rendered	Moroka Attorneys	09-Mar-17	The rescission application was successful and a plea was filed. Notice to discover and the discovery affidavit have been served. Discovery done and pre-trial held on the 11th of April 2016. Matter at arbitration.
1087/2016	TIHAOLE BETTY	Claim sounding in money for an amount of R200 000	Ngwane Attorneys	10/03/2016	Third party fell within the Municipality's premises. The matter has been dormant for quite some time.
AA53/2014	L R MASHIYA	Eviction application	Ngwane Attorneys	Mar-17	Two families are fighting over property. Municipality asked to intervene. Matter finalised as per mme Morakane. Awaiting the court order. The other matter is set down for the 2nd March 2017.

4781/2016	JACK MATELA	Application to compel MM to sign	Mhlokonya Attorneys	31/10/2016	Received instruction from MM per Mme Seekoei to oppose the matter. Consultation held on the 2nd December 2016 with Mr. Mhlokonya and Mr. Matoli. Awaiting a written submission from Housing dept. regarding this matter. Acting MM signed, and issue of costs pending in court.

QUARTER 4

TYPE OF MATTER	CASE NO:	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	DATE MATTER WAS FINALISED
Commercial	5963/2016	QUICK LEAP INVESTMENTS 438	Notice of motion claiming from MLM erection and development of sewer. MLM is the 2nd Respondent(4Respondents)	Moroka Attorneys	
Public liability claim	9349/2015	MARTINUS JOHANNES MEIRING	Public liability claim: the plaintiff's house was flooded by the sewerage water. Amount claimed R33 395,95	Sefo Attorneys # Guardrisk insurers	Thursday, 01 June 2017
Civil litigation	4509/2016	FACTORING SPV (PTY) LTD	Received a notice of motion claiming R20 million. Claim emanates from datat purification	Moroka Attorneys	26-Jun-17

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STATUS QUO

The matter was argued before court on the 8th of July 2016, and judgement has been reserved. Matter decided in our favour. Received leave to appeal application.

Matter was heard in court, and Plaintiff's claim was **dismissed with costs.**

pre-trial held on the 12th of October 2015, the Plaintiff indicated that they want to settle the matter out of Court, this was recorded by the judge, Mr. Moroka awaits the Plaintiff's proposal. **The Plaintiff has filed notice of withdrawal of action.**

Matter removed from the roll,
Palintiff to pay wasted cost, cost to
be taxed.

Mr. moroka has instructed ZAQ
Finance (an expert) to provide him
with a report in order to advise the
Municipality on the way forward of
this matter. Notice of withdrawal
was filed after the expert report was
received.

Matter was finalised.

Mr. Rune has been paying R10
000, and attorneys were instructed
to withhold the sale in execution.

The matter will finally be argued in court on the 7th April 2016.

the Plaintiff has proposed settlement. Trial date not set yet. MM to give instructions on this matter re: proposed amount.

Consultation held on the 20th April 2016 with CFO. Matter argued in court on the 17th of October, awaiting judgment. Judgment received, and application to review, successful.

STATUS QUO

Debt paid, matter finalised

Matter was heard on the 4th of February 2016. Awaiting the Judge's judgement. Matter was decided in our favour.

Report received, further instruction given to attorney. Report forwarded to LED. Matter finalised.

An urgent interdict filed, matter going to court on the 24th of March 2016. Settlement agreement made an order of court.

Matter went to court on the 29th January 2016. All charges were withdrawn against all the accused persons.

Notice of intention to defend entered into. Matter settled. Legal fees paid.

The matter was finalised through settlement. Municipality to pay R4 799 993.40

Eviction order received. Ms. Mothekhe instructed attorneys to hold execution. Execution proceeded with, and Mr. Momsen vacated. Matter finalised.

STATUS QUO

An application for an interdict was dismissed

An application for an interdict against MLM from implementing the tender award

Review of the decision to award the tender to Amadwala and SAME.

Matter opposed successfully, and no cost order was made re: the 26th/05/2016

SAMWU withdrew the matter on the 30th/05/2016



<p>Discovery affidavit have been served. Rule 37 conference was held on the 24th of Feb 2016. Municipality gave instructions to attorneys for possible settlement. Matter at arbitration.</p>
<p>Awaiting MM's signature of approval. Notice of intention to defend entered into. Matter has been arbitrated and Counsel to pay R9 .2 million.</p>
<p>The court ordered the said erf to be reversed and be under the MLM's name.</p>

STATUS QUO	
Notice to oppose filed.	
Notice of intention to defend and the plea have been filed. Investigation by our insurance are still under way for a possible settlement. Meeting held with Mr.	
Notice to oppose has been filed. Awaiting the Counsel's affidavit to be signed by MM. Affidavit signed and filed. Matter dismissed with costs and finalised. Court order received.	

[illegible]

QUARTER 1 2017-2018

TYPE OF MATTER	CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	INSTRUCTION DATE	PROJECTED COST	STATUS QUO
Commercial	5863/2016	MBV SECURITY	Notice of motion claiming R 16 602 133,48	Mhlokonya Attorneys	02/12/2016		The applicant claims the said amount based on the month-to-month commencing from 1st Oct 2012 until 31 August 2016. Settlement reached. Agreement signed by MM
Civil litigation	3116/2015	PHAKAMA SECURITY SERVICES	Enforcement of a contract. Claiming R 4 275 143.95	Moroka Attorneys	05/08/2016		Rescission of judgment application. Judgment received. Matter dismissed with costs. Full amount has been paid and their contract has been cancelled and ended on the 12th of November 2016. An application to have the court determine the whether Phakama is entitled to the <u>interest</u> claimed, is pending. Matter dismissed with costs.
Civil	3560/2017	INISWA PROMOTIONS T/A GOVERNANCE FORUM	Summons claiming payment amounting to R 4 416,36	No attorneys			Payment made. Received the notice of withdrawal of action. Matter finalised.
Civil litigation	6355/2016	SOUTHERN AFRICAN MUSIC ORGANISATION LTD	Contract license to use certain music in a public place	Sesele Attorneys	06/09/2016		Received summons on the 06th of Sept, claiming an amount of R6 053,40 for breach of contract. Correspondence sent through to the Plaintiff, & no response yet.
civil	2614/17	TNA MEDIA t/a NEW AGE NEWSPAPER	Summons claiming R163 565.51	No attorney	25/04/2017		Writ of execution received and matter settled

QUARTER 2

TYPE OF MATTER	CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	INSTRUCTION DATE	PROJECTED COST	STATUS QUO
Civil litigation	1936/2015	RESCUE ROD (PTY) LTD	Claim sounding in money for an amount of R166 497	Mhlokonya Attorneys		Matter went to court on the 17th of March 2016 & no settlement was reached. The matter is pending, and the summary judgment was dismissed. Recommendation by Infrastructure to settle the matter, as we still have a contract with our opponents. Proposal accepted to pay R83 248,50. Settlement agreement signed, and payment of R83 248 outstanding.	finalised
Labour related matter	JR1741/14	GREYLING	MLM instituted action against the Respondent in order to recover the erroneously paid amount of R298 414.15	Lebea and Associates	08-Oct-16	The matter was argued before court on the 8th of July 2016, and judgement has been reserved. Matter decided in our favour. No unfair dismissal. Successful on the review, Applicant appealed. Awaiting judgment on appeal. Appeal dismissed with costs.	finalised
Civil matter	355/2017	Sisi Guesthouse	Summons against the Municipality, claiming R102 500 for decoration work done during the Dep. President's visit	Ngwane Attorneys	08/02/2017	The settlement agreement signed, and awaiting the court order.	finalised
Public liability	5462/2015	SHARDELOW	Public liability claim R18 845.02	Sefo attorneys	17/12/2015	Application for rescission was successful. The attorney to file the plea. Matter going to court on the 09th of Feb 2017. Rescission granted. Matter going to court on the 15th August 2017 for trial.	finalised

QUARTER 3

COMMENTS FROM MANAGEMENT	DATE THE MATTER WAS FINALISED
FINALISED	
FINALISED	
FINALISED	
FINALISED	
FINALISED	

COMMENTS FROM MANAGEMENT	DATE THE MATTER WAS FINALISED
10/08/2017	

COMMENTS FROM MANAGEMENT	DATE THE MATTER WAS FINALISED
PENDING	
PENDING	

[illegible]

CRIMINAL MATTERS

[illegible]

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CURRENT PENDING MATTERS 2017

ITEM NO:	TYPE	CASE NO	PARTY	DESCRIPTION	ATTORNEYS APPOINTED	INSTRUCTION DATE	STATUS QUO	COMMENTS FROM MANAGEMENT
1	Public liability	9150/2014	M P MANYANGWANA	Warrant of execution	Sesele Attorneys	17/08/2016	Went to court and made copies of the file. Plaintiff claims R51 000, meanwhile he was paid R16 000 for his claim. Rescission of judgment to be applied for. Our attorney to argue the matter in court on the 17th of November 2017. Rescission successful. Our plea filed. Awaiting trial date	PENDING
2	Civil litigation	2688/2015	MODISENYANA	Summons were served for an amount of R 3,256 456.56 million for a partial oral and partial written agreement for consultancy services i.t.o s78 Municipal Property Rates Act	Moroka Attorneys		Plea and replication were filed. Discovery from both parties have also been made. Awaiting Rule 37 minutes. Matter going to court on the 23 & 24 May 2017. The matter has been postponed to the 22nd, 23rd, and the 25th of August 2017. Matter finalised on the 01st Nov 2017. Dismissed with costs.	AWAITING COURT ORDER
3	Public liability claim	1340/2015	JA STROEBEL	Civil claim for R470 000	Mhlokonya attorneys	16/10/2015	27/11/2015 consultation with adv Edeing , inspection in loco arranged for 1/12/2015. Advocate to file a plea/ exception. Pre-trial conference to be held before the judge. Discovery affidavit has been filed. Matter going to court on the 13th, 14, & the 16th February 2018. Matter given to Mr Mhlokonya. Application to	PENDING
4	Motion proceedings	2241/2014	OPPENHEIMER GOLF CLUB	The applicant sought an order demanding the Respondent to amongst others to maintain the Witpan sewer. Claim damage amount to R 9 420 943.67	Moroka Attorneys		Notice of exception has been filed. Received information from Ms. Debbie Benson of Harmony. Sent through to Moroka Attorneys. Discovery affidavit received and signed by MM. Matter postponed and parties negotiating. Matter set-down for trial for the 31st Oct, 2017, 1st, 2nd Nov 2017. POstponed to the 6th of March 2018.	PENDING

5	Civil proceedings	3461/2015	OPPENHEIMER GOLF CLUB	Contempt of court against the MLM. Application for leave of appeal to appeal which was also dismissed with costs on the 8th of August 2016.	Moroka Attorneys		The Applicants then petitioned the SCA under case no: 1057/2015.	PENDING
6	Civil litigation	2182/2015	HANNES PEYPER ATTORNEYS	Termination of Peyper Attorneys legal costs / fee agreements in the matter of De Bruyn	Moroka Attorneys		termination. We have requested documents from them, so far no documents have been furnished. A reduced fee agreement was drafted, awaiting MM's signature. The matter will be heard in court on the 21st July 2016. The matter is dormant as per mme	PENDING
7	Civil litigation	3635/2016	RENTAL COMPANY TRUST	5 claims emanating from contracts claiming a total amount of R 10 343 637,17	Moroka Attorneys		Notice of intention to defend has been filed by Moroka Attorneys. Consultation scheduled for the 12th November 2016. Consultation conducted. Awaiting court date for exception. Exception argued and dismissed. Proposal from attorneys to settle the matter.	PENDING
8	Transfer reversal	not in court yet	Erf 10707 & 693	Application to reverse the transfers	Bahlekazi Attorneys		Application to be made in court. Instruction letter given. A draft received. Mr. Bahlekazi instructed to wait for instruction from Counsel.	PENDING
9	Labour related matter	J626/2016	SAMWU obo 95 OTHERS	Application for review	Qwelane Attorneys	12/05/2016	Application to reverse the arbitration award by the Commissioner done, and the transcripts also filed. Settlement negotiations are underway.	PENDING

10	Labour related matter	J1183/2016	P O NOTSI	Application to confirm the arbitration award	Qwelane Attorneys	14/06/2016	The attorney to oppose the application to confirm the award. Both parties busy with filing of documents in court. Our opposing affidavit filed. Awaiting the replying affidavit. Matter set down for the 19th Oct 2017. Matter finalised, & applicant successful with costs.	PENDING
11	Public liability	5132/2016	ELLIOT MOLISE	Public liability R43 696,20	Sesele Attorneys	14/07/2016	Pothole damaged the tyres. The attorney to defend the matter and possible settlement to be negotiated. Pleadings not closed.	PENDING
12	Public liability	3369/2015	BENJAMIN NDIPHIWE SAM	Public liability R90 851,00. Repudiated by insurer	Ngwane Attorneys	10/03/2016	Counsel's employee collided with the member of the public and caused his vehicle to be written off. Attorney awaits the notice of withdrawal from the opponents. Our attorneys have attempted to contact the opponents on record, but No response.	PENDING
13	Application to compel to give information	2050/2016	IZETTE HUIJINK-MARITZ	Request for information application	Majavu Attorneys		Notice of motion application. Attorneys filed rule 6 (5)d Legal points disputed. No claim, only legal costs	PENDING
14	Civil	3641/2016	ZANDILE MANAGEMENT SERVICES CC	Summons claiming two amounts: 1. R 1 368 443,210 2. R 29 432 210,50	Majavu Attorneys	Initially the 19/09/2014 but summons instructions on the 19th August 2016	Received summons on the 18th of August. sent through to Majavu Attorneys. Filed a plea and a counterclaim. Consultation with Mr Vanga to be arranged.	PENDING
15	Public liability	1919/2016	CLOUDS I J	Summons received. Council's employees damaged the vehicle of the third party. They hit it with a pipe they used for sewer. Amount R 10 000	Ngwane Attorneys	06/06/2016	We received a writ of execution on this matter. R 10 000 to be paid as the insurance advised. Matter is still with MM as per budget Manager. MM to authorise payment.	PENDING

16	Civil claim emanating from an employment contract		NTELEKI P M	MLM is instituting legal action in a form of an application for recovery of an amount of R 298 414.15 from Mr Nteleki	Tshangana Attorneys	15/09/2016	The founding affidavit has been drafted after the legal opinion was furnished. Awaiting the AG confirmation from the attorney.	PENDING
17	Public liability	3657/2015	DAVID SEHLOHO	summons claiming an amount of R 26 695.69 for an accident caused between the employee and a third party.	Mhlambi Attorneys	04/03/2016	A plea has been filed. Firm has closed and Mr. Mhlambi promised to send the AG confirmation, but not received yet.	PENDING
18	Civil litigation	1373/2015	SANDOWN CAPITAL	MLM received summons claiming R 4 233 375,00 for loan amounts advanced to the Municipal Councillors	Majavu Attorneys	??	Substantive affidavit resisting summary judgment, was successful. Prospects of success for the Municipality are good. A plea has been filed.	PENDING
19	Civil litigation	3551/2016	TSEKO ABEL MTHOMBENI	The Plaintiff hit a heap of rubble at Boitumelo shopping complex in a parking lot. Claims R132 371,40	Insurance department handling the matter and recruited Savage Jooste Attorneys.	09/09/2016	Received summons. Default judgement rescinded successfully.	PENDING
20	Civil litigation	01215/2016	PHUMELELE W XEPU	The Plaintiff hit a tree, claiming R54 980.	Honey Attorneys through Guardrisk are handling this matter	10/10/2016	The attorney to file notice of intention to defend. Pleadings not closed. Attorneys discussing a settlement agreement.	PENDING
21	Conveyancing	No case number	ALLEGED ILLEGAL SALE OF LAND	Application to have the ervens reversed.	Bahlekazi Attorneys		MLM is to apply in court for reversal. Awaiting papers from attorney.	PENDING
22	Labour related matter	JR2294/2016	M MOLOI N.O & SALGBC	Application to have a point in limine reviewed.	Qwelane Attorneys		Affidavit signed by MM. Awaiting court date.	PENDING
23	Labour related matter	1034/2016	MABOZA	Application to review	Lebea and Associates	19/10/2016	Awaiting the report from Lebea and Associates. Application for condonation made and Acting MM signed. Date for the hearing: 25th October 2017. Matter heard, and judgment reserved. Matter	PENDING

24	Civil matter	1729/2016	FATIMA ISMAIL	Summons claiming an amount of R 150 000 for defamation of character, loss of income and profit.	Sesele Attorneys	09/11/2016	Notice of intention filed. Pleadings still to be filed.	PENDING
25	writ of execution	721/2014	NTSOAKI JULIA MVUNDLE	We received a writ of execution for an amount of R 204 397,55.	Honey attorneys and Van Wyk attorneys were instructed by the Guardrisk.	11/11/2016	Insurance to settle the matter. Municipality to pay excess.	PENDING
26	Civil litigation	1087/295	WORLEY PARSONS RSA (PTY) LTD	Summons were issued claiming an amount of R397 812,51 for services rendered for the project known as Matjhabeng Asset register	Sefo attorneys	01/04/2016	Notice of intention to defend filed. Application for summary judgement was heard on the 18th of June 2015, and judgement was in favour of the Plaintiff. Written reasons were requested from the Judge. Faster action is suspended as per the attorney's latest report	PENDING
27	Application for review	720/2017	FREE STATE GOLDFIELDS CHAMBER OF BUSINESSES	Notice of motion to have the decision made by NERSA to allow MLM to increase its tariffs for the 2015/16 reviewed and set aside.	Bokwa attorneys		Notice to oppose filed by Ngwane attorneys. Requested to withdraw. NERSA not opposing as per Kelebogile from their Legal dept.	PENDING
28	Court Interdict	692/2017	THANX TRADING	Applicant received a court interdict preventing the MLM from cutting the water and electricity.	Thabane attorneys	01/03/2017	Matter decided on default. Our founding affidavit for rescission has been filed.	PENDING
29	Civil litigation	8813/2016	LETLAPE SETSHEDI	Summons received by Council claiming R100 000 alleging fraud by Mr. Mofokeng. Also alleging vicarious liability.	Moloi Attorneys	16/01/2017	Notice of intention to defend has been filed. Attorney to file our plea. Plea filed and attorney awaiting trial date.	PENDING

30	Civil litigation	2439/17	FIDELITY SECURITY	Summons claiming R92 456.14 for ditch dug which caused an accident	Insurance department handling the matter and appointed Savage Jooste Attorneys.	25/04/2017	Awaiting the report from our insurance.	PENDING
31	Civil litigation	2841/2017	M C XUMA	Summons claiming R21 774.Claim arose from vicarious liability of the employees of MLM, damaging the garages due to electrical work done.	Guardrisk handling the matter	12/05/2017	Awaiting a report from our insurance.	PENDING
32	Civil litigation	8519/2016	SAD PANEELKLOPPER S	Summons claiming R 162 689,06	Nkuna & Thuntsi Inc.	13/01/2017	Claim arose from towing the Defendant's vehicles and storage.Plea filed and pleadings are closed and pretrial conference date to be set.	PENDING
33	Civil	2745/2017	HANTERRA CC	Summons disputing electricity bill of R55 234.63	Sefo Attorneys	31/05/2017	Notice of intention to defend filed. Matter discussed with Mr. Vanga as per the attorney's latest report. Awaiting further instruction from Mr. Vanga.	PENDING
34	Labour related matter	1063/2013	IMATU OBO VORSTER	A review application at the Labour court.	Finger attorneys		Attorneys awaiting trial date as per their last update.	PENDING
35	Public liability	858/2016	LENAH MAJORO	R400 000 for injuries sustained when she slipped and fell at a pavement next to Welkom mini market supermarket in Long road.	Nkuna & Thuntsi Inc.		The case is still at pleadings stage.	PENDING
36	Labour related matter		THULO	in our favour, and SAMWU took it on review for unfair dismissal. The transgressor forged his	Qwelane Attorneys		The attorney has filed our opposing affidavit.	PENDING

37	Eviction	n/a	Various illegal occupants at Masimong 4 estate	The Municipality wants to evict the illegal tenants at Masimong 4 estate	Ngwane Attorneys	10/04/2017	The attorney still await the various documents and further instructions from Mr. Vanga.	PENDING
38	Civil	6063/2017	Matseko Flora Thulo v Rasebuti Mokoia and MLM	Assault in the workplace. Summons claiming R100 000	Sesele Attorneys	17/10/2017	Notice of intention filed.	PENDING
39	Eviction	1459/2016	Ditshewana Lucky Nkoala v Nketsi Mothepu & All other family members	Court order against the Municipality to seek alternative accommodation.	Bokwa attorneys	20/10/2017	Attorney to apply for leave to appeal.	PENDING
40	PAIA	4826/2017	DAVID ALROY LOUW V MLM	An application seeking information on pension funds	Mhlokonya attorneys	17/10/2017	Information given to attorney. Matter going to court on the 14th December 2017.	PENDING
41	court order: eviction	AA23/2017	THOLANG DAVID MOLELEKI V UNLAWFUL OCCUPIERS & MLM	A court order to evict the respondents	Kemi attorneys	20/10/2017		PENDING
42	Commercial	3071/2014	HENDRICK JACOBUS DE BRUIN VS MATJHABENG LOCAL MUNICIPALITY	Summons claiming an amount of R305 662 emanating from a session agreement.	Moroka Attorneys	2014	Pretrial held on the 18th of September 2017	PENDING

43	Commercial	5174/2017	ATCOMM PTY LTD VS MATJHABENG LOCAL MUNICIPALITY	Summons claiming R872 236.44 for services rendered over VOIP.	??	12/10/2017		PENDING
44	Court order	3655/2017	MATJHABENG LOCAL MUNICIPALITY V ERIKA POHL	MLM evicting the Respondent	TSHANGANA ATTORNEYS	Sep-17	Postponed to the 5th of October 2017	PENDING
45	Labour related matter	4905/2017	MLM V VIRGINIA EMPLOYEES	An interdict against a go-slow strike	FINGER ATTORNEYS	Oct-17	The matter has been postponed to the 7th of December 2017	PENDING
46	Notice of motion	7725/2017	SHAUN BOTHA VS MATJHABENG LOCAL MUNICIPALITY	An order to have the electricity switched on. Return date the 11th December 2017.	No attorney yet.	17-Oct-17	A rule nisi argued and awarded against us on the same date. Matter postponed to the 15th January 2018.	PENDING
47	Civil litigation	6311/2017	MAXIMUM PROF t/a MAXPROF	action instituted to recover R717 123.39 for work done in a form of VAT contingency review &	Mhlokonya attorneys	20/12/2017	Notice of intention to defend entered into, and Mr Vanga consulted with attorney.	PENDING
48	Civil litigation	6261/2017	FACTORING SPV vs MATJHABENG LOCAL MUNICIPALITY	000.00 is claimed for work done by Maree Van Wyk i.t.o the service level agreement.			a plea has been filed.	PENDING
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Recommend
that this matter
be taken away
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