

## Yvonne Badenhorst

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**Sent:** Wednesday, 08 March 2023 08:48  
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**Subject:** Directive and Rolls for Settlement Court before judge Van Der Schyff  
**Attachments:** SETTLEMENT ROLL 13 MARCH 2023.docx; SETTLEMENT ROLL 14 MARCH 2023.docx; Directive Settlement Court Van Der Schyff J.doc

Dear counsel

Kindly receive directive and rolls from Judge Van Der Schyff.

Regards  
Sello

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**HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION**

**Term 1 2023  
Week 9: 13 March 2023 – 17 March 2023**

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S  
DIRECTIVES FOR SETTLEMENT ROLL BEFORE JUDGE E VAN DER  
SCHYFF**

1. All matters will be heard in **open** court.
2. Proceedings will commence at **10h00**. The roll will be called in order of seniority.
3. One draft order must be handed up when applications are moved.
  - 3.1. Where applicable, the draft trust deed and confirmation of the proposed trustee(s) must be attached to the draft order;
  - 3.2. The powers of trustees must provide that funds may only be invested with registered financial institutions – if the trust deed provides otherwise, counsel must motivate. Security must be provided as required by the Master of the High Court. The guidelines provided by the Full Court of this Division in *Master of the High Court v Pretoria Society of Advocates and Others* must be followed. The trustee's remuneration must be motivated when the matter is moved.
  - 3.3. Where a Contingency Fee Agreement (CFA) was concluded, counsel moving the matter must state whether the CFA meets the applicable statutory requirements. The necessary affidavits must be uploaded to the Caselines file.
4. A confirmation letter from the Road Accident Fund must be handed up together with the draft order.
5. The draft order must accord in all respects with the settlement offer, i.e. where the parties agreed that the Fund must pay the quantum within **180 days** from the order being **served** on them, the Fund will only be liable for *mora* interest from the 181<sup>st</sup> day of service of the order; where the settlement offer provides for costs to be taxed on a party-and-party scale, the order should state that, and nothing more, items that are not taxed when orders are taxed on a party-and-party scale should not be listed.

6. A practice note, stating the nature of the application and the date on which the application is on the roll, should be filed on Caselines by the latest one full court day prior that the date that the matter is enrolled. Counsel must have regard to the Judge President's most recent directive.
7. In all applications where heads of argument must be filed, a failure to do so **may** result in the application being struck of the roll.
8. Counsel is requested to have regard to the 'Widely Shared Note' function on CaseLines as queries may be raised using this function.
9. Communication with this office must be done by **email** to Mr S Tshetlho ([stshetlho@judiciary.org.za](mailto:stshetlho@judiciary.org.za)).
10. **Introductions for counsel appearing for the first time before Judge van der Schyff will be done in Judge van der Schyff's chambers in the Palace of Justice at 9h40.**

**E VAN DER SCHYFF**

**JUDGE OF THE HIGH COURT**

# CIVIL TRIAL SETTLEMENT ROLL 1

**PRETORIA THIS DAY 13 MARCH 2023**

**IN COURT AT 10:00 BEFORE THE HONOURABLE JUSTICE VAN DER SCHYFF**

1	W MASIYIWA	VS	RAF	26101/19
2	J KHOSA	VS	RAF	49036/19
3	T TSHIKORORO	VS	RAF/	53009/21
4	MG TALENG	VS	RAF	61808/20
5	LN MODUNGWA	VS	RAF	5135/22
6	CN MBOKAZI	VS	RAF	47384/21
7	MC NGUBO	VS	RAF	27165/21
8	KLYNHANS EL	VS	RAF	4429/15
9	L HAYTON	VS	RAF	53830/19
10	HJJP MOLENBEEK	VS	RAF	39521/18
11	H THOBKGALE	VS	RAF	47092/17
12	SL NTSHANGASE	VS	RAF	64689/19
13	L BERRANGE	VS	RAF	56046/21

14	NM NKUNA	VS	RAF	34133/15
15	L MAHWAYI	VS	RAF	37663
16	B SITHOLE	VS	RAF	76210/17
17	NJ DIRE	VS	RAF	20003/19
18	MV NKOSI	VS	RAF	33784/18
19	T MANTSWE	VS	RAF	24702/19
20	MM MAKHA	VS	RAF	44870/17
21	E BALOYI	VS	RAF	17897/15
22	JO MZIMBA	VS	RAF	59973/17
23	A MAKHUBELA	VS	RAF	6259/17
24	BT SHABNDU	VS	RAF	69789/16
25	SD OWENS	VS	RAF	9320/21
26	J SIBANDA	VS	RAF	82404/19
27	GC MAPHOPHE	VS	RAF	14008/20
28	T XABA	VS	RAF	28860/19
29	N MBHANSISI	VS	RAF	37435/18
30	ADV MONGOLELE	VS	RAF	45870/18

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<b>31</b>	<b>PR MABOTJA</b>	<b>VS</b>	<b>RAF</b>	<b>45906/16</b>
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<b>32</b>	<b>K MASIPA</b>	<b>VS</b>	<b>RAF</b>	<b>30546/16</b>
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<b>33</b>	<b>T MOKWATEDI</b>	<b>VS</b>	<b>RAF</b>	<b>9385/16</b>
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<b>34</b>	<b>C MASWANGANYI</b>	<b>VS</b>	<b>RAF</b>	<b>6020/22</b>
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<b>35</b>	<b>MV LEHOBO</b>	<b>VS</b>	<b>RAF</b>	<b>47764/18</b>
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# CIVIL TRIAL SETTLEMENT ROLL 1

**PRETORIA THIS DAY 14 MARCH 2023**

**IN COURT BEFORE THE HONOURABLE JUSTICE VAN DER SCHYFF J**

1	OS MOILWA	VS	RAF	62025/17
2	B MATHEBULA	VS	RAF	9484/18
3	D THWALA	VS	RAF	15482/20
4	B NGCOBO	VS	RAF	46056/19
5	MASILO E	VS	RAF	61423/16
6	MM MOROASWI	VS	RAF	61806/20
7	EP MSIBI	VS	RAF	54904/21
8	SKOKIWA	VS	RAF	3710/21
9	ES DLAMINI	VS	RAF	37089/18
10	TS MOHALE	VS	RAF	14501/20
11	N KEKANA	VS	RAF	50153/20
12	OV MAKAKA	VS	RAF	14440/18
13	PC NDLOVU	VS	RAF	65165/19

14	MM MOHOSHO	VS	RAF	8192/18
15	MT TAYLOR	VS	RAF	35635/20
16	JHT LANDSBERG	VS	RAF	66390/19
17	TT MDLULI	VS	RAF	71504/17
18	SL SKHOSANA	VS	RAF	58783/17
19	NT MSIMANGO	VS	RAF	2608/18
20	S SIMOMYO	VS	RAF	6631/22
21	J LUDICK+1	VS	RAF	63318/16
22	DM ZWAME	VS	RAF	22214/20
23	A CECELO	VS	RAF	77618/19