

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

Western Cape Case Nr. 16893/09

Constitutional Court Case Nr. CC

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In the matter between:

**MATHILDA LOUISA WIESE**

Applicant

and

**GOVERNMENT EMPLOYEES PENSION FUND**

First Respondent

**MINISTERS OF FINANCE**

Second Respondent

**THE PENSION FUND ADJUDICATOR**

Third Respondent

**CORNELIUS JOHANNES MARX**

Fourth Respondent

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**APPLICATION IN TERMS OF RULE 32 OF THE CONSTITUTIONAL COURT RULES**

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**TAKE NOTICE THAT** the Applicant intends to make application to this Court for an order in the following terms:

1. that Applicant's failure to timeously file a Notice of Appeal in terms of Section 16(2) of the Rules of Court be condoned and that Applicant be allowed to lodge her Notice of Appeal to be dealt with in accordance with the provisions of Rule 16(2) of the Rules of Court;

2. further and/or alternative relief.

**TAKE NOTICE THAT** Applicant has appointed the address of her attorneys as set out below as the address that which she will accept notice and service of all processes in these proceedings.

**TAKE FURTHER NOTICE THAT** if you intend opposing this Application you are required to:

- a) notify Applicant's attorney in writing on or before 28 October 2011 of your intention to do so;
- b) and be within 15 (fifteen) days after you have so given notice of your intention to oppose, to appoint in such verification and that is of which will accept notice and service of all documents in these proceedings.

**TAKE FURTHER NOTICE THAT** if no such Notice of Intention to Oppose is given, the Applicant will request the Registrar to place the matter between the Chief Justice to be dealt with in terms of Rule 11(4).

**TAKE FURTHER NOTICE THAT** the accompanying Affidavit of Mr. Pieter Riaan Nabal will be used in support of this application.

**BORNMAN & HAYWARD INC**



Per:

**P R NABAL**

Attorneys for APPLICANT

Bornman & Hayward Inc  
P R NABAL  
Tel: (021) 943 1600  
Fax: (021) 914 0091

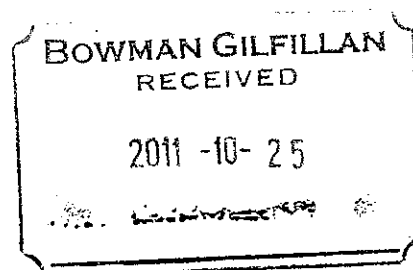
8 High Street  
 Rosenpark  
 TYGERVALLEY  
 (Ref: P R NABAL/bn/WIE40/0001)  
 C/O WERKMANS INC  
 155 5<sup>th</sup> Street  
 Sandown  
 SANTON

TO: **THE REGISTRAR**  
 High Court  
**CAPE TOWN**

AND TO: **THE REGISTRAR**  
 Constitutional Court  
**BRAAMFONTEIN**

AND TO: **BOWMAN GLIFILLAN**  
 Attorneys for FIRST RESPONDENT  
 SA Reserve Bank Building  
 60 St Georges Mall  
 Cape Town  
 (Ref: David Geral/H Schimanke/1182900)

*Handwritten initials and date:*  
 09/10/11



AND TO: **MINISTER OF FINANCE**  
 SECOND RESPONDENT  
**C/O THE STATE ATTORNEY**  
 22 Long Street  
**CAPE TOWN**

