

THE CONSTITUTIONAL COURT
OF SOUTH AFRICA

CCTNO:
SCA Case number: 671/06

In the matter between:

THINT (PROPRIETARY) LIMITED

APPLICANT

and

**NATIONAL DIRECTOR OF
PUBLIC PROSECUTIONS**

FIRST RESPONDENT

**THE INVESTIGATING DIRECTOR:
DIRECTORATE OF SPECIAL
OPERATIONS**

SECOND RESPONDENT

JOHAN DU PLOOY

THIRD RESPONDENT

NOTICE IN TERMS OF RULE 19

TAKE NOTICE that the applicant hereby applies to this Court for orders:

1. Granting the applicant leave to appeal to this Court against the order of the Supreme Court of Appeal ("*the SCA*") in its judgment handed down on 8 November 2007 in the matter of **THINT (PROPRIETARY) LIMITED v NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS AND TWO OTHERS** under SCA case number 671/06 dismissing the applicant's appeal

against the dismissal of its application by the Transvaal Provincial Division of the High Court ("the Pretoria High Court") (per du Plessis J.) on 4 July 2006 to:

- (a) set aside a search warrant issued by Ngoepe JP in chambers in the Pretoria High Court, in terms of s 29(4) of the National Prosecuting Authority Act 32 of 1998;
 - (b) declare the searches and the seizures conducted pursuant to the search warrant at the applicant's office in Pretoria to be unlawful;
 - (c) direct the respondents to return to the applicant all items seized during the said searches and to deliver all mirror images made of computer items seized; and (d) order the respondents to pay costs.
2. Ordering the costs of this application to be costs in the appeal.

TAKE NOTICE FURTHER that the attached affidavit of **PIERRE JEAN MARIE ROBERT MOYNOT** and the annexures thereto will be used in support of the application.

TAKE NOTICE FURTHER that within 10 days from the date upon which this application is lodged the respondents may respond thereto in writing indicating whether the application is opposed.

TAKE NOTICE FURTHER that the applicant has appointed the offices of its

attorneys of record set out below as the address at which it will accept notice and service of all documents in these proceedings.

Pretoria
DATED AT SANBTON ON THIS THE *J_5* DAY OF NOVEMBER 2007.

SHAMIN RAMPESAD & ASSOCIATES
1201 Durdoc Centre, 460 Smith Street
DURBAN
(Ref Mr A Sooklal/082-432-6895)

Care  of:

DENEYS REITZ INC
Per:

Ref: R.F. Driman Attorneys
for the Applicant 82 Maude
Street SANDTON

**TO: THE REGISTRAR
CONSTITUTIONAL
COURT
BRAAMFONTEIN**

AND TO: THE RESPONDENTS
c/o The State Attorney
8th Floor, Old Mutual Centre
167 Andries Street
PRETORIA
(Ref: Mr I. Chowe)