

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

Case No: CCT 115/12

WC High Court Case No: 21990/2012

In the matter between:

**LINDIWE MAZIBUKO, MP, LEADER OF THE
OPPOSITION IN THE NATIONAL ASSEMBLY**

Applicant

and

**MAX VUYISILE SISULU, MP, SPEAKER
OF THE NATIONAL ASSEMBLY**

First Respondent

**DR MATHOLE SEROFO MOTSHEKGA, MP, CHIEF
WHIP OF THE AFRICAN NATIONAL CONGRESS**

Second Respondent

**FIRST RESPONDENT'S NOTICE OF APPLICATION
FOR LEAVE TO CROSS-APPEAL**

PLEASE TAKE NOTICE that the First Respondent intends, at the hearing of the above matter on **28 March 2013**, to apply for an order in the following terms:

1. Leave to cross-appeal against the costs order made under the above-mentioned case number by the Western Cape High Court per Davis J on 22 November 2012, in terms of which no order as to costs was made.

2. Upholding the cross-appeal, by ordering the Applicant to pay the First Respondent's costs in the High Court application, including the costs of two counsel.
3. Ordering the Applicant to pay the First Respondent's costs in the cross-appeal, including the costs of two counsel.
4. Further and/or alternative relief.

TAKE NOTICE FURTHER that the answering affidavit of MAX VUYISILE SISULU filed of record on 28 November 2012 shall be used in support of this application.

DATED at CAPE TOWN on this the ____ day of DECEMBER 2012.

STATE ATTORNEY

Per: _____

L MANUEL
First Respondent's attorneys
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[Ref: Ms T Pillay]

TO: The Registrar
Constitutional Court
Constitution Hill
BRAAMFONTEIN

AND TO: **MINDE SHAPIRO & SMITH INC.**

Applicant's attorneys
Tyger Valley Office Park
Building No.2
Cnr Willie van Schoor & Old Oak Roads
BELLVILLE
[Ref: Mr Mervyn Smith/ Ms Elzanne Jonker]
c/o **WRIGHT ROSE-INNES INC.**
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JOHANNESBURG
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AND TO: **XULU LIVERSAGE INC.**

Second Respondent's attorneys
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