

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CASE NO: CCT42/12

CASE NO. A QUO: 1413/2009 NWHC

In the application of:

LAWYERS FOR HUMAN RIGHTS

Applicant

for leave to be admitted as *amicus curiae*

IN RE:

In the matter between:

PONTSHO DOREEN MOTSWAGAE

First Applicant

FOURTEEN OTHERS

Second to Fifteenth Applicants

and

RUSTENBURG LOCAL MUNICIPALITY

First Respondent

PROMPTIQUE TR 9CC

Second Respondent

**NOTICE OF MOTION
RULE 10 APPLICATION TO BE ADMITTED AS *AMICUS CURIAE***

PLEASE TAKE NOTICE THAT the Applicant intends to apply to this court, on a date to be determined by the Registrar, for an order in the following terms:

1. That non-compliance with the 5 day time period provided for in Rule 10(5) of the rules of this Honourable Court be condoned;
2. That Lawyers for Human Rights be admitted to these proceedings as an *amicus curiae*;
3. That the *amicus curiae* be granted the following rights:
 - 3.1 The right to lodge written argument on a date to be determined by the court;
 - 3.2 The right to present oral argument at the hearing of the matter.
4. Further and/or alternative relief.

TAKE FURTHER NOTICE THAT the affidavit of **MR JACOB VAN GARDEREN** will be used in support of this application.

TAKE FURTHER NOTICE THAT the Applicant has appointed the address of its Johannesburg office given below, as address where all correspondence and process will be received.

TAKE FURTHER NOTICE THAT if you wish to oppose this application, you must file a notice of intention to oppose within 5 (five) days after receipt hereof and file an answering affidavit, if you so wish, within 10 (ten) days after receipt hereof. In the notice of opposition you must further appoint an address within 25 kilometres of the office of the Registrar of this court at which you will receive all correspondence and pleadings in this matter.

SIGNED AT PRETORIA ON THIS THE 9th DAY OF OCTOBER 2012



LAWYERS FOR HUMAN RIGHTS

Attorneys for Applicant

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Pretoria

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C/O LAWYERS FOR HUMAN RIGHTS, JOHANNESBURG

4th Floor, Heerengracht Building

87 De Korte Street

Braamfontein

Johannesburg

Tel: (011)-339-1960

Fax: (011)-339-2665

Ref: Kaajal, alternatively Solly

TO:

THE REGISTRAR OF THE CONSTITUTIONAL COURT

CONSTITUTIONAL HILL

JOHANNESBURG

AND TO:

LEGAL RESOURCES CENTRE

c/o GILFILLAN DU PLESSIS INC.

2ND Floor IDASA Democracy Building

357 Visagie Street

Pretoria

Tel: 012 320 2943

Fax: 012 320 6852

Ref: LRC/LOU/K23

c/o LEGAL RESOURCES CENTRE

Constitutional Litigation Unit

15th Floor, Bram Fischer Towers

20 Albert Street,

Marshalltown

Johannesburg

Tel: 011 836 9831

Fax: 011 834 4273

Ref: Ms S Nindi

AND TO:

VAN VELDEN DUFFEY

67 Brink Street

Rustenburg

Tel: 014 592 1135

Fax: 014 592 1184

Ref: BG/MS.W.D RYAN/GK 0080

c/o RONELLE PRETORIUS INC

22 Solomon Street

Braamfontein

Ref: BG/MS L ROBERTS/GR 0177