IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CASE NO:

LAC CASE NO: JA12/05

SCA CASE NO: 405/07

In the matter between:

EQUITY AVIATION SERVICES (PTY) LTD Applicant

and

COMMISSION FOR CONCILIATION, MEDIATION

AND ARBITRATION First Respondent

W FERREIRA N.O. Second Respondent

NELSON MAWELELE Third Respondent

NOTICE OF APPLICATION FOR SPECIAL LEAVE TO APPEAL

TAKE NOTICE that the above-named Applicant intends to make application to this Court and the President of this Court for:-

1. An order granting the Applicant special leave to appeal to this Court against prayer 3(c)(iii) of the Order of the Labour Appeal Court handed

down on 15 June 2007, and that part of the judgment applicable to the said order, in case number JA18/05;

2. An order that the costs of this application be costs in the appeal to this Court;

3. Further and/or alternative relief.

TAKE NOTICE FURTHER that the affidavit of **JOE KHANYE** will be used in support of this application.

TAKE NOTICE FURTHER that the Applicant has appointed the offices of Hofmeyr Herbstein & Gihwala Inc, 6 Sandown Valley Crescent, Sandown (Tel: 011 286 1100) as the addresses where he will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend opposing this application you are required: (a) to notify the Applicant's attorneys in writing on or before **4 December 2007** and (b) within 15 days after you have so given notice of your intention to oppose the application, to file your answering affidavit, if any; and further that you are required to appoint in such notification an address within 25 kilometres of the office of the Registrar at which you will accept notice and service of all documents in these proceedings.

If no such notice of intention to oppose is given, the Applicant will request the Registrar to place the matter before the President to be dealt with in terms of rule 10(4).

DATED AT ON THIS DAY OF NOVEMBER 2007.

HOFMEYR HERBSTEIN & GIHWALA INC
per :

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Attorneys for Applicant
6 Sandown Valley Crescent
SANDOWN
Tel: 011 286 1100
Fax: 011 286 1269
Email:GavinS@hofmeyr.com
Ref: Mr G Stansfield/M Hart/50035998

TO : **THE REGISTRAR OF THE CONSTITUTIONAL COURT**
Braampark Forum
33 Hoofd Street
Braamfontein
JOHANNESBURG

AND TO: **CHEADLE THOMPSON HAYSOM INC**
7th Floor
Braamfontein Centre
23 Jorissen Street
BRAAMFONTEIN