

REGISTRAR OF THE HIGH COURT OF
SOUTH AFRICA GAUTENG DIVISION, PRETORIA
PRIVATE BAG/PRIVAATSAK X67
PRETORIA 0001

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2015 -06- 01
E. TIGER
REGISTRAR'S CLERK
GRIFPIER VAN DIE HOË HOF VAN
SUID AFRIKA GAUTENG AFDELING, PRETORIA

2015 -06- 01
IN THE HIGH COURT OF SOUTH AFRICA
E. TIGER
GAUTENG DIVISION, PRETORIA
GRIFPIER VAN DIE HOË HOF VAN
SUID AFRIKA GAUTENG AFDELING, PRETORIA

CASE NO: 39650
115
Applicant

In the matter between:

REGISTRAR OF THE HIGH COURT OF
SOUTH AFRICA GAUTENG DIVISION, PRETORIA
PRIVATE BAG/PRIVAATSAK X67
PRETORIA 0001
2015 -06- 01
E. TIGER
REGISTRAR'S CLERK
GRIFPIER VAN DIE HOË HOF VAN
SUID AFRIKA GAUTENG AFDELING, PRETORIA

THE SOUTH AFRICAN HISTORY ARCHIVE TRUST

and

THE MINISTER OF JUSTICE AND
CORRECTIONAL SERVICES

REGISTRAR OF THE HIGH COURT OF
SOUTH AFRICA GAUTENG DIVISION, PRETORIA
PRIVATE BAG, PRIVAATSAK X67
PRETORIA 0001
2015 -06- 01
T. M. LEGODI
REGISTRAR'S CLERK
GRIFPIER VAN DIE HOË HOF VAN
SUID AFRIKA GAUTENG AFDELING, PRETORIA

First Respondent

THE DEPUTY INFORMATION OFFICER,
THE DEPARTMENT OF JUSTICE AND
CORRECTIONAL SERVICES

Second Respondent

NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE THAT the Applicant intends to make application to the above Honourable Court for an order in the following terms:

1. **THAT** the Respondents be ordered to provide the Applicant with the Truth and Reconciliation Commission's victims' database ("TRC database") in a usable and complete format, excluding personal details not already in the public domain, within 14 calendar days from the date of judgment.
2. **Alternatively** to prayer 1, the Respondents are ordered to provide the Applicant with the TRC's full "data-dump" from the database entities, within 14 calendar days of the judgment in this matter, with the proviso, that the Applicant be required:

- 2.1 to sever personal information not already in the public domain;
 - 2.2 not to retain or disclose the information referred to sub-paragraph 2.1 and to return same to the Second Respondent.
3. **THAT** the Respondents be ordered to take all reasonable steps to comply with prayer 1, alternatively prayer 2 above, and if any technical problems arise to make use of the services of Mr Gerald O'Sullivan, a specialist in information technology and the programme manager of innovation and strategy at the Foundation for Human Rights.
 4. Costs of the application in the event that the either of the Respondents oppose this application; and
 5. Further and/ or alternative relief.

TAKE NOTICE FURTHER THAT that the affidavits of Catherine Moira Kennedy, Gerald Scott O'Sullivan, Patrick Ball, Alex Boraine, Tricia Erasmus and Gabriella Razzano will be used in support hereof.

TAKE NOTICE FURTHER THAT the Applicant has appointed DLA Cliffe Dekker Hofmeyr Inc c/o Friedland Hart Solomon and Nicolson as its attorneys of record at whose address the Applicant will accept service of all process in these proceedings.

TAKE NOTICE FURTHER THAT that should you intend opposing this application you are required:

- a) to notify the Applicant's attorneys in writing within 15 (fifteen) days of service of this application on you;

- b) within 15 (fifteen) days after having given such notice to oppose this application to deliver your answering affidavits, if any; and further that you are required to appoint in such notification an address referred to in Rule 6(5)(b) 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 application will be made to the above Honourable Court as soon as counsel for the Applicant may be heard.

DATED AT JOHANNESBURG ON THIS 1st DAY OF June 2015.



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 Sandown,
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 79 Steenbok Avenue
 Monument Park
 Pretoria
 Tel: (012) 424 0200
 Ref: Gerrie Stolp

**TO:
 THE REGISTRAR OF THE ABOVE
 HONOURABLE COURT
 PRETORIA**

BY HAND

AND TO:

The Minister of Justice and Correctional
Services
The First Respondent
316 Thabo Sehume Street
Cnr Thabo Sehume and Francis Baard
Streets, Pretoria
c/o The State Attorney
Pretoria
SALU Building
316 Thabo Sehume Street
Pretoria

SERVICE BY THE SHERIFF

AND TO:

The Deputy Information Officer:
Department of Justice and Correctional
Services
The Second Respondent
SALU Building
316 Thabo Sehume Street
Pretoria

SERVICE BY THE SHERIFF