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## **OFFICE OF THE CHIEF JUSTICE**

10 November 2017

Media Statement

### **ALLEGATIONS OF ATTEMPTED CASE ENROLMENT MANIPULATION**

We have noted the media reports with allegations that a member of the Gupta family had informed someone that he would speak to a member of the Gauteng Deputy Judge President's office to allocate a date of hearing of his preference in the Brian Molefe vs Eskom and Others, Special Motion. The statement attributed to that member of the Gupta family is misleading and unequivocally refuted by the Office of the Chief Justice. In fact, that statement was allegedly made in July 2017, when pleadings had not yet been lodged. The enrolment of Special Motions, such as the one under discussion, is the prerogative of the Deputy Judge President, done in consultation, with the Judge President.

This is what took place in this matter in that after consulting the Judge President, the Deputy Judge President convened a case management meeting involving the legal representatives of all the parties and thereafter issued a Practice Directive, on 3 August 2017, prescribing the litigation timetable that was to be followed by the parties. The Practice Directive also allocated the hearing date of the matter to be 29 November – 1 December 2017. This procedure is also in line with the Gauteng Division Practice Manual in terms of which Special Motions are dealt with. That date remains the allocated hearing date of that matter and no attempt has been made by any of the parties, or anyone else, to change that date.

We can also confirm that the officials in the office of the Deputy Judge President have informed the Deputy Judge President that there has been no approach to them by anyone to have the date changed. The Deputy Judge President has sent further correspondence to all the legal representatives of the parties reiterating that this Special Motion will proceed as scheduled on 29 November 2017 – 01 December 2017.



As the Office of the Chief Justice, we are not aware of any inappropriate conduct by any court officials relating to the enrolment of this and other matters and thus encourage any member of the public who may have information regarding any wrongful activity in this regard to approach the Office of the Chief Justice with such information.

-Ends-

**ISSUED BY THE OFFICE OF THE CHIEF JUSTICE**

**Media inquiries may be directed to:**

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