

IN THE HIGH COURT OF SOUTH AFRICA  
(EASTERN CAPE LOCAL DIVISION, PORT ELIZABETH)  
ROLL CALL – CIVIL TRIALS  
*Before Honourable Justice Van Zyl, DJP*  
26 AUGUST 2021

**Trial date: 30 August 2021**

1. 922/14 S Fesi vs Minister of Police +1 **O'Brien Inc.  
State Attorney  
REMOVED**
  
2. 2374/18 S Lottering vs Lilly Close Trading +1 **Lessing Heyns &  
Van Der Bank  
Brown Braude & Vlok**
  
3. 3426/17 S R Smethurst vs Dr. Daniel Truter **PBK Attorneys  
BLC Attorneys**
  
4. 499/17 S Phuti vs The MEC for Health, EC **McWilliams & Elliott Inc.  
State Attorney**

5      4441/16      T E Toyisi vs RAF      **John B. Scott Attorneys  
Road Accident Fund**

**Trial Date: 31 August 2021**

6      3548/19      Clover Fonterra Ingredients Pty Ltd vs Serfie Imports  
and Exports Pty Ltd      **Aukett Attorney  
Mark Rossouw Inc.  
REMOVED**

7      1052/18      J Constable vs RAF      **John B. Scott Attorneys  
Road Accident Fund**

8.      2963/20      N P Msizi vs CM Msizi      **Adeline Deysel Att  
Ruchmere Noach**

**Trial Date: 01 September 2021**

9.      1586/16      A J Faleni vs Minister of Police      **O'Brien Inc.  
State Attorney**

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| 10.   | 120/20  | B Jonas vs NMMM   | <b>Ntanzi Attorneys<br/>BDLS Attorneys</b>                   |
| 11.   | 634/20  | Quantro Wools (Pty) Ltd vs Hauseline Investments (Pty) Ltd            | <b>Greyvensteins Inc.<br/>Wouter Minnie</b>                  |
| 12.   | 916/14  | L K Mcoli vs RAF  | <b>John B. Scott Att<br/>Road Accident Fund</b>              |
| 13.   | 1514/19 | K R Goliath vs RAF  | <b>Boqwana Burns Inc.<br/>Road Accident Fund<br/>REMOVED</b> |
| <b><u>Trial Date: 02 September 2021</u></b> |         |   |  |
| 14.   | 1014/14 | Zigidi Engineering Consultants CC vs Coega Development Corp (Pty) Ltd | <b>BNI Attorney<br/>Pumeza Bono Att</b>                      |

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| 15. | 2625/19 | A Spinks vs AJ Spinks  | <b>Joyzel Obbes<br/>Vic Skelton Inc.</b>        |
| 16. | 735/18  | A N Kleinbooi vs RAF   | <b>John B. Scott Att<br/>Road Accident Fund</b> |
| 17. | 1806/19 | Adv. C J Mouton vs RAF | <b>Meyer Inc.<br/>Road Accident Fund</b>        |

**Trial Date: 03 September 2021**

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| 18. | 3981/16 | N M Fani vs RAF        | <b>John B. Scott Att<br/>Road Accident Fund</b>          |
| 19. | 2883/16 | S Y Ezuidenhout vs RAF | <b>Goldberg &amp; De Villiers<br/>Road Accident Fund</b> |

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| 20. | 866/20  | A M Castelyn vs RAF | <b>PBK Attorneys<br/>State Attorney</b>           |
| 21. | 1605/19 | N J Hoffman vs RAF  | <b>Boqwana Burns Inc.<br/>Road Accident Fund</b>  |
| 22. | 41/20   | Z Matinise vs RAF   | <b>Rayno Peo Attorneys<br/>State Attorney</b>     |
| 23. | 1073/20 | E Goeda vs RAF      | <b>Gregory Clark &amp; Ass<br/>State Attorney</b> |

**PLEASE BE ADVISED THAT** there will be no roll call in open court until further notice. The trial readiness of all civil trial matters enrolled for hearing will instead be determined by a Judge in chambers. In order to facilitate the decision of the roll call Judge the parties shall, by not later than 10 days before the allocated trial date, and after having held a telephonic or videoconference pre-trial meeting, file a joint practice note together with the requisite trial readiness checklist (Form 2), and written

submissions, not exceeding two typed pages dealing with the trial readiness of the matter. In the practice note the parties shall address the following matters:

- 1.1 whether the matter is capable of settlement and should remain on the trial roll for that purposes;
- 1.2 a clear and concise statement of any outstanding issues for determination;
- 1.3 whether the outstanding issues are capable of determination without the hearing of oral evidence, in which event, if the parties agree that the matter be determined without hearing oral evidence, they shall be required to set out a statement of the agreed facts upon which oral argument is to be addressed by way of videoconference or other electronic means; and
- 1.4 in the event of the matter not being capable of a hearing as envisaged in paragraph 1.3 –
  - 1.4.1 the reasons therefor;
  - 1.4.2 the total number of witnesses; and
  - 1.4.3 the suggested logistics of conducting the trial by way of videoconference, alternatively where a trial by videoconference is not considered feasible or desirable,

to state the reasons therefor and to set out the suggested arrangements with due consideration to the prevention of the spread of Covid-19 infection or contamination to litigants, legal practitioners, court staff and the other court attendees.

2. Should any party fail or be unwilling to take part in the pre-trial meeting referred to in paragraph 1 –

2.1 the other party may file the practice note together with reasons why the joint practice note could not be filed; and

2.2 the roll call Judge May-

2.2.1 convene a pre-trial meeting by videoconference or any other appropriate manner; or

2.2.2 where appropriate, grant a punitive costs order.