

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

CASE NO: 61790/12
AND
CASE NO: 20066/2016

In the matter between:

RONALD BOBROFF

First Applicant

DARREN BOBROFF

Second Applicant

and

**THE LAW SOCIETY OF THE
NORTHERN PROVINCE**

First Respondent

JENNIFER GRAHAM

Second Respondent

MATTHEW GRAHAM

Third Respondent

**STEPHEN DEREK
BEZUIDENHOUT**

Fourth Respondent

FIRST AND SECOND RESPONDENTS' ANSWERING AFFIDAVIT

I, the undersigned,

ANNA MARIA JOUBERT

hereby declare under oath that:

1. I am an adult attorney of the High Court of South Africa, practising as such as a principal associate at Edward Nathan Sonnenbergs Inc. ("ENS"), 1 North Wharf

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Square, Loop Street, Cape Town, the attorneys of record for the First and Second Respondents ("the Grahams").

2. The facts contained herein are within my personal knowledge and belief, and are all true and correct. Where I rely on information conveyed to me by others, I believe such information to be true and correct.
3. I am assisting George Morrison van Niekerk ("George van Niekerk") with the conduct of this matter on behalf of the Grahams.
4. This affidavit serves as the answering affidavit filed on behalf of the Grahams in respect of the application by the Third to Fifth Respondents ("the Bobroffs") to strike from the court roll on 6 December 2016, alternatively postpone, the applications by the Grahams and the Law Society of the Northern Provinces ("the Law Society"), which are both set down for hearing on 6 December 2016. The Grahams and Law Society applications both seek the final removal of the names of the Bobroffs from the roll of attorneys.
5. The striking and postponement application by the Bobroffs was only received via email on Saturday, 3 December 2016 at 13:29pm, despite a directive by Ranchod J that any such application be filed by 14:00 on Friday, 2 December 2016.
6. Due to the limited time available before the hearing on 6 December 2016, I will deal herein only with the facts relevant to the Grahams' opposition to the striking and postponement application. Further argument on why the Grahams' application should not be struck from the court roll alternatively postponed will be presented at the hearing on 6 December 2016. Any allegation in the Bobroffs' affidavit which I do not deal with should be taken to be denied.

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49. On 6 October 2016 the above Honourable Court granted an order in terms whereof the Law Society was granted leave to effect service of the notice of set down in the Law Society application on the Bobroffs in Australia by edictal citation.
50. The notice of set down in the Law Society application was served on the Bobroffs personally in Australia in terms of the aforesaid court order dealing with edictal citation, on 12 and 24 October 2016. In this regard I refer to the service affidavit delivered on behalf of the Law Society in the Law Society application on 25 November 2016.

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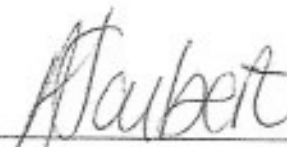
Curator's report

51. A curator *bonis* was appointed over the practice of Ronald Bobroff and Partners in terms of the court order dated 26 April 2016.
52. A copy of the Curator's report, which was received from the Law Society's attorneys of record on 1 December 2016, is annexed hereto marked "AJ 16". In order not to make this affidavit too prolix, I do not annex the annexures thereto, but they will be made available to this court if required.
53. It is evident from the Curator's report that Cameron has been acting on behalf of the Bobroffs since as early as August 2016, possibly earlier, in relation to the Law Society's investigation of the Bobroffs' practice. It is further clear from the report that Cameron has played an active role on behalf of the Bobroffs to frustrate the Curator in doing what he has been ordered to do by this Honourable Court.
54. Below are relevant extracts from the Curator's report:

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application as well as the timetable in terms of the directive issued by the Honourable Deputy Judge President A P Ledwaba on 18 August 2016.

65. The grounds on which the Bobroffs rely for a postponement are frivolous and indicative of the delaying tactics employed by them in all of the proceedings dealing with the disputes between the Grahams and the Bobroffs.
66. It is respectfully submitted that this Court is called upon to make a robust determination of the postponement application. It falls to be dismissed early in the day with punitive costs, including the costs of two counsel, and thereafter the matter ought to proceed on 6 December on the merits.



ANNA MARIA JOUBERT

I certify that:

- I. the Deponent acknowledged to me that :
- A. He knows and understands the contents of this declaration;
 - B. He has no objection to taking the prescribed oath;
 - C. He considers the prescribed oath to be binding on his conscience.
- II. the Deponent thereafter uttered the words, "I swear that the contents of this declaration are true, so help me God".
- III. the Deponent signed this declaration in my presence at the address set out hereunder on the 5th December 2016.





COMMISSIONER OF OATHS

Designation and Area:

Full Names:

Street Address:

ROMY BERMAN
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
9TH FLOOR VALUTA TRUST BLDG
74 SHORTMARKET STREET
CAPE TOWN 8001

AT

REPORT
RONALD BOBROFF & PARTNERS INCORPORATED ATTORNEYS
RONALD BOBROFF
DARREN BOBROFF
STEPHEN DEREK BEZUIDENHOUT

1. **ORDERS GRANTED:**

1.1 On 24 March 2016 Mr Johan van Staden, Head of Members Affairs of the Law Society of the Northern Provinces, was appointed as the Curator Bonis over the practice of Ronald Bobroff & Partners Incorporated Attorneys in terms of a Court Order granted by the High Court of South Africa Gauteng Division held at Pretoria under case number 24456/2016. All three Directors to the firm being Mr Ronald Bobroff, Mr Darren Bobroff and Mr Stephen Derek Bezuidenhout was placed under Curatorship.

1.2 Subsequently and on 26 April 2016 Mr Ronald Bobroff and Mr Darren Bobroff were suspended from the Roll of Attorneys and the Curatorship appointment was confirmed in terms of a Court Order granted by the High Court of South Africa, Gauteng Division held at Pretoria under case number 61790/2012.

2. **IDENTITY NUMBERS AND DATE OF ADMISSION AS ATTORNEYS:**

| | |
|--------------------------------|---|
| Mr Ronald Bobroff: | – ID: 470807 5082 085 – Admitted: 16 April 1973 |
| Mr Darren Rodney Bobroff: | – ID: 730302 5055 089 – Admitted: 29 August 2005 |
| Mr Stephen Derek Bezuidenhout: | – ID: 551211 5015 082 – Admitted: 11 September 1984 |

3. **STATUS AND BACKGROUND:**

3.1 The Application for the appointment of a Curator Bonis was brought on an urgent Ex Parte basis when information was received that Mr Ronald Bobroff and Mr Darren Bobroff had left the country for Australia. This is the Order that was granted on 24 March 2016 as referred to in paragraph 1.1 Supra. The Report rendered by Mr Johan Van Staden dated 23 March 2016 setting out the background and basis for the urgent Application is enclosed herewith and marked as Annexure "CB1".

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