

ATTORNEY
JOHN JOSEPH FINLAY CAMERON
HURLINGHAM OFFICE PARK, BLOCK G, GROUND FLOOR
CR. WILLIAM NICOL & REPUBLIC ROADS, SANDTON
(ENTRANCE IN WOODLANDS AVENUE)
P O Box 41248, Craighall, 2024
Tel: (002711) 285 0043 Fax: (002711) 325 4780
Cellular: 072 041 8818
E-mail: johncam@mweb.co.za

Our Ref: J Cameron/corres/Feinberg- Bobroff
Date: 18 July 2018

TALI FEINBERG

EMAIL: feinbergtali@gmail.com
CELLULAR: 083 652 9240

Dear Madam

OUR CLIENTS: RONALD AND DARREN BOBROFF ("THE BOBROFF")
RE: INTERPOL RED NOTICES PERTAINING TO THE BOBROFFS ("THE RED NOTICES")

We refer to the Red Notices and more specifically to your communication dated the 17th July 2018.

At the outset I record that I "am very well". Before addressing the contents of your communication under reply it would be both prudent and for the edification of the readers of the SA Jewish Report to draw your and their attention to the undermentioned facts and/or documents:-

1. on the 14th March 2016 the Director of Public Prosecutions ("DPP") caused to make application to the Magistrate Johannesburg for the issuing of the Bobroff's arrest and whereafter, based on a written application by Adv Adele Carstens, ("Carstens"), the Magistrate Johannesburg issued two warrants of arrest for the arrest of the Bobroffs (attached hereto as **Annexures A and B**); and
2. as will be self-evident from Annexures A and B, the criminal complaints against our clients (and as repeated in the two Red Notices), is that our clients committed "frauds" during the period 2006 to December 2013 – no doubt you and your readers are aware that fraud constitutes "an intentional misrepresentation of material existing fact/s made by one person to another with knowledge of its falsity and for the purposes of inducing the other person to act and upon which the other person relies with resulting commercial prejudice"; and

3. Annexures A and B were thereafter transmitted by the DPP to Interpol which then automatically and without reference to the Bobroffs (more particularly determining from them the veracity of the complaint/s) issued the Red Notices; and
4. arising from legal proceedings between the National Prosecuting Authority (“NPA”) and the Bobroffs, (pertaining to the preservation orders that the NPA obtained **without notice** to the Bobroffs), we served on the NPA a Rule 35 (12) notice (“the Notice”) in terms of the Uniforms of Rules of the Supreme Court, a copy whereof is attached hereto marked **Annexure C** - in paragraph 16 and 18 of Annexure C, we requested the NPA to furnish ourselves with the written application of Carstens referred to in Annexures A and B hereto; and
5. in response to the Notice, the NPA furnished a notice, a copy whereof is attached hereto as **Annexure D** – in Annexure D the NPA, in paragraph 9 and 10, recorded that the contents of the “docked” (sic), are deemed to be privileged and not subject to disclosure; and
6. on the 14th and 16th November 2016, the curator of Ronald Bobroff and Partners Inc., (“RBP”) Mr J Van Staden (“the Curator”), and the legal officer of the Curator’s department, Mrs E Veldsman (“the Legal Official”), submitted a report as regards the business affairs of RBP, a copy whereof is attached hereto as **Annexure E**, in which the Curator confirmed that:-
 - 6.1 there had been no claims lodged by ex-clients of RBP with the Attorneys’ Fidelity Fund of South Africa, (“the Fund”); and
 - 6.2 that the trust banking account of RBP did not reflect any deficit; and
 - 6.3 no claims by ex-clients of RBP had been lodged with him and more particularly arising from fraudulent conduct on the part of the Bobroffs; and
7. on the 22nd May 2017, the Fund confirmed in a communication addressed to the Bobroffs’ provisional trustees, attached hereto as **Annexure F**, of their sequestered insolvent estates (the provisional sequestration orders were discharged on the 3rd April 2018), that the only claim that had been lodged with them was a claim that had “not proceeded with”; and
8. attached hereto as **Annexure G** is an extract from the website of the Attorneys’ Fidelity Fund of South Africa which indicates the type of claims that can be lodged with it including inter alia, the thefts of settlements in personal injury claims (although there is no reference to fraud we contend that where fraud take place which then leads to theft by attorneys that these claims would be considered by the Fund) and more specifically claims arising from fraud/theft perpetrated by an attorney.

Arising from the foregoing, you and your readers should obviously question :-

1. whether there is any truth and/or substance in the criminal complaints of fraud that the Bobroffs have in fact perpetrated – surely if such criminal complaints of fraud exist then, in such event, I, as the Bobroffs' attorney, would be aware of the identity complainant/s, the Fund would be aware of the identity of those person/s and similarly the Curator would be aware of the identity of those persons and accordingly the NPA would have had no difficulty in disclosing the contents of the docket which gave rise to Carstens obtaining the arrest warrants for the arrest of the Bobroffs; and
2. why has the Specialized Commercial Crime Unit ("SCCU") not completed their criminal investigations into the criminal complaints of fraud against the Bobroffs – as you will notice from Annexure 1 of Annexure D, Carstens records that "*the investigations in this matter are still ongoing*"; and
3. why are the criminal investigations by the SCCU ongoing (including not being completed by now)? - after all the criminal complaints were lodged in April 2013 (this we know as a consequence of the CAS NO being 105/04/2013) i.e. nearly three years from the date when the two arrest warrants were issued and it is now nearly five years since the criminal complaints were lodged with the SAPS at its Rosebank branch.

In response to the questions posed by you, we have been instructed to respond as follows:-

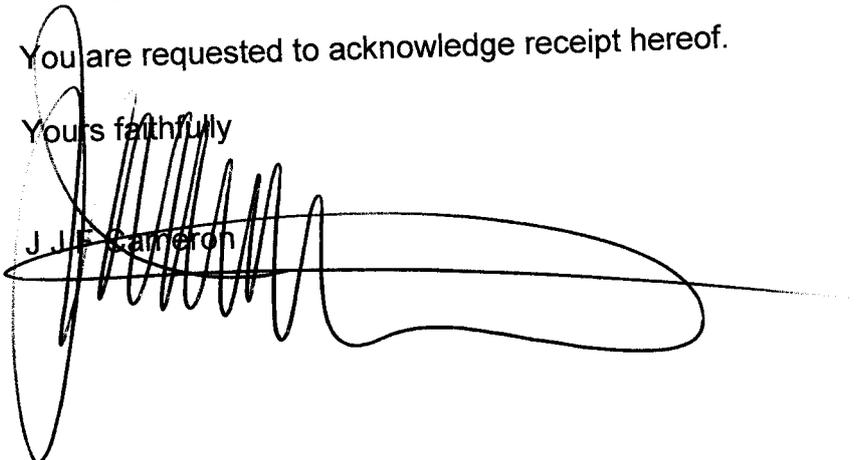
1. notwithstanding many press articles that recorded that spokespersons and other persons employed by the NPA (these articles have arisen from shortly after the departure of the Bobroffs from South Africa 2016) that extradition papers were being drafted and would be transmitted to the Australian Government for execution (as long ago as 2016), to the knowledge of the Bobroffs no such extradition application has been finalised by the NPA (the only question that arises therefrom is why not and the only inference to be drawn therefrom is that whatever criminal complaints of fraud that exist are without any substance and/or foundation); and
2. arising from the foregoing the Bobroffs do not expect to receive any extradition papers and if they should receive same then in such event those papers will, for the first time, indicate the nature and the extent of the frauds that they have perpetrated i.e. absent specific details of the fraudulent instances committed by the Bobroffs no such extradition application would be considered; and
3. yes, the Red Notices do have consequences for the Bobroffs i.e. should they attempt to travel out of Australia they face arrest and thereafter deportation to South Africa (essentially a type of extradition i.e. without due process); and
4. the Bobroffs continue to maintain their innocence as regards the existence of any fraudulent conduct that they are alleged to have perpetrated; and

5. the Bobroffs hereby invite any of your readers to submit, in writing to our offices, instances where they have been defrauded by them in order that they may then consider such submissions and to then, if necessary, react thereto; and
6. all the Bobroffs request is that the Jewish community does not decide in the "court of public opinion" that they are guilty of crimes of fraud before knowing all the correct facts and which facts the SCCU (despite a passage of time of five years) is strangely not prepared to disclose to them.

You are requested to acknowledge receipt hereof.

Yours faithfully

J. J. F. Cameron



17

Police Station: ROSEBANK	CAS No. 105/04/2013	Case No.
Name: RONALD BOBROFF: ID NO. 4708075082085		
Address: 37 ASHFORD ROAD, ROSEBANK, JHB		
Gender: MALE	Age: 68	

To *The Magistrate/Justice of the Peace, District of: **Johannesburg.**

**APPLICATION UNDER SECTION 43 OF ACT 51 OF 1977
FOR WARRANT OF ARREST**

Application is hereby made for the issue of a warrant for the arrest of:
RONALD BOBROFF

on charges of: **FRAUD,**

there being from information taken upon oath a reasonable suspicion that he/she committed the alleged offence on or about the period day of **2006 to DECEMBER 2013** in the District of **Johannesburg**

The said **RONALD BOBROFF** is present known or suspected on reasonable grounds to be within the District of **JOHANNESBURG** in SA.

PRIVAATSAK/PRIVATE BAG X4158

2016 -03- 14

JOHANNESBURG 2000

NATIONAL PROSECUTING AUTHORITY
SPECIALISED COMMERCIAL CRIME UNIT

[Signature]
*Director of public Prosecution/Public Prosecutor/Polies officer

WARRANT OF ARREST

(To all peace officers authorized to execute warrants of arrest)

- Whereas from written application by: **Advocate Adele Carstens** there is reasonable suspicion that: **RONALD BOBROFF** of **37 Ashford Road, Rosebank, JHB** on or about the period day of **2006 to December 2013** committed the crime of **FRAUD**. You are hereby directed to arrest *him/her and to bring *him/her before a regional court (viz court) **REGIONAL COURT** at **Johannesburg Commercial Court** in accordance with the provisions of sec 43 of the **Criminal Procedure Act, 1977 (act 51 of 1977)**
- The accused must be informed that *he/she has the right to consult with a legal practitioner of *his/her choice, and if * he/she cannot afford a legal practitioner, *he/she may apply for legal aid at the local Legal Aid Officer.

Given under my hand at *Johannesburg* this *14* day of *March* year *2016*

2016 -03- 14

[Signature]
* Magistrate/Justice of the Peace

Description of accused:

RONALD BOBROFF: MALE: ID NO. 4708075082085 from **37 Ashford Road, Rosebank, JHB**

*Delete whichever is not applicable.

[Handwritten initials]

**IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)**

CASE NO: 50395/2017

In the matter between:

BOBROFF, RONALD

First Applicant

and

BOBROFF, DARREN RODNEY

Second Applicant

and

THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

IN RE:

The credit balances and interest accrued in account 20-23-135877 held at Bank Mizrahi Tefahot, Israel, in the name of Darren Bobroff and account no 11-130-7592258 held at Bank Discount, Israel in the name of Ronald Bobroff

**IN THE APPLICATION FOR A PRESERVATION ORDER IN TERMS OF SECTION
38 OF THE PRESERVATION OF ORGANISED CRIME ACT 121 OF 1998**

FIRST AND SECOND APPLICANT'S NOTICE IN TERMS OF RULE 35(12)

BE PLEASED TO TAKE NOTICE that the Applicants require the Respondent to produce the following documents for inspection and to permit the Applicants to make copies thereof by virtue of the fact that they intend launching a Reconsideration Application:-

1. the multiple fee agreements referred to in paragraph 18.1 of the Founding Affidavit of **PRIYADARSHNEE BISESWAR** (“BISESWAR”) dated the 19th July 2017; and
2. the sale agreement referred to in paragraph 19.6 of the Founding Affidavit of BISESWAR dated the 19th July 2017; and
3. the documentation referred to in paragraph 4 of the supporting affidavit of **CHRISTIAAN GOUWS** (“GOUWS”) dated the 17th July 2017; and
4. the documentation referred to in paragraph 10 of the supporting affidavit of GOUWS dated the 17th July 2017; and
5. the multiple fee agreements referred to in paragraph 13 of the supporting affidavit of GOUWS dated the 17th July 2017; and
6. the documents constituting “the evidence” referred to in paragraph 19 in the supporting affidavit of GOUWS dated the 17th July 2017; and
7. the complaint document referred to in paragraph 24 of the supporting affidavit of GOUWS dated the 17th July 2017; and
8. the supplementary complaint document referred to in paragraph 25 of the supporting affidavit of GOUWS dated the 17th July 2017; and
9. the charge sheet of the Law Society referred to in paragraph 27 of the supporting affidavit of GOUWS dated the 17th July 2017; and
10. the journal entries of the Firm referred to in paragraph 59.1 of the supporting affidavit of GOUWS dated the 17th July 2017; and
11. the accounting records of the Firm referred to in paragraph 59.7 of the supporting

- affidavit of GOUWS dated the 17th July 2017; and
12. the report received by the Israeli Police from the Compliance Officer of the Bank Discount referred to in paragraph 83.7 of the supporting affidavit of GOUWS dated the 17th July 2017; and
 13. the public source information document referred to in paragraph 83.8 of the supporting affidavit of GOUWS dated the 17th July 2017; and
 14. the open source information document referred to in paragraph 83.9 of the supporting affidavit of GOUWS dated the 17th July 2017; and
 15. the document containing information taken on oath referred to in Annexure “CG3” of the supporting affidavit of GOUWS (at paginated page 243) dated the 17th July 2017; and
 16. the written application of Adv Adele Carstens referred to in Annexure “CG3” of the supporting affidavit of GOUWS (which document is to be located at page 243 of the paginated papers) dated the 17th July 2017; and
 17. the document containing information taken on oath referred to in Annexure “CG4” of the supporting affidavit of GOUWS (at paginated page 244) dated the 17th July 2017; and
 18. the written application of Adv Adele Carstens referred to in Annexure “CG4” of the supporting affidavit of GOUWS (which document is to be located at page 244 of the paginated papers) dated the 17th July 2017; and
 19. the document containing information taken on oath referred to in Annexure “CG5” of the supporting affidavit of GOUWS (at paginated page 245) dated the 17th July

2017; and

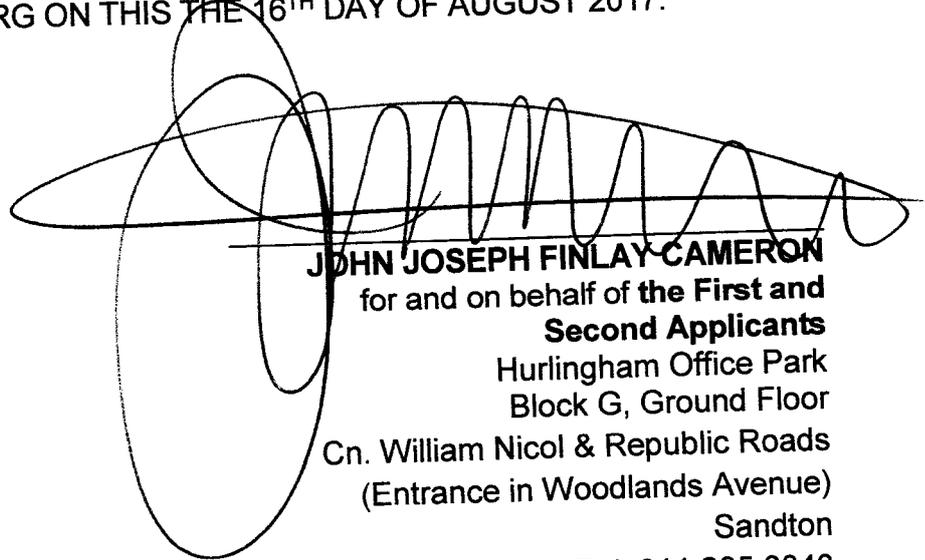
20. the written application of Adv Adele Carstens referred to in Annexure “CG5” of the supporting affidavit of GOUWS (which document is to be located at page 245 of the paginated papers) dated the 17th July 2017; and
21. copies of the cheques “made out to clients of the Firm” and referred to in Annexure “CG7” of the supporting affidavit of GOUWS (at paginated page 257 of the papers) dated the 17th July 2017; and
22. copies of the cheques “made out to clients of the Firm” and referred to in Annexure “CG11” of the supporting affidavit of GOUWS (at paginated page 277 of the papers) dated the 17th July 2017; and
23. copies of the cheques “made out to clients of the Firm” and referred to in Annexure “CG12” of the supporting affidavit of GOUWS (at paginated page 279 of the papers) dated the 17th July 2017; and
24. the Section 7 approval obtained by the Respondent from the Minister of Justice referred to in paragraph 2 of Annexure “CG17” of the supporting affidavit of GOUWS dated the 17th July 2017.

TAKE NOTICE FURTHER that the Applicants’ attorneys require to inspect the aforementioned documents between 10h00 and 12h00 on **MONDAY, the 18th day of SEPTEMBER 2017** at the offices of the Respondent’s attorneys of record.

TAKE NOTICE FURTHER that to avoid the necessity of an inspection, the Applicants’ attorneys record that they require a copy of the documents sought in this notice and

hereby tender to pay the Respondent's photostat costs as prescribed in the Rules of Court pertaining to taxation matters and specifically photostat costs on a party and party scale – R3.50 plus vat per page.

DATED AT JOHANNESBURG ON THIS THE 16TH DAY OF AUGUST 2017.



JOHN JOSEPH FINLAY CAMERON
for and on behalf of the **First and**
Second Applicants
Hurlingham Office Park
Block G, Ground Floor
Cn. William Nicol & Republic Roads
(Entrance in Woodlands Avenue)
Sandton

Tel: 011 285 0043

Fax: 011 325 4780

Cellular: 072 041 8818

Email: johncam@mweb.co.za

Ref: J Cameron

C/O FRIEDLAND HART SOLOMON NICOLSON

Monument Office Park

Block 4, Third Floor

79 Steenbok Avenue

Pretoria

Tel: 012 424 0200

Fax: 012 424 0207

Ref: Trudie van Straaten

TO:
THE REGISTRAR OF THE
ABOVE HONOURABLE COURT
PRETORIA

AND TO:
THE RESPONDENT
THE OFFICE OF THE STATE ATTORNEY
PRETORIA
SALU BUILDING
316 THABO SEHUME STREET
PRETORIA
Tel: 012 845 6371

Email: TManyako@npa.gov.za
Email: RMathaga@justice.gov.za
Ref: Mr Mathaga/17/Z56

SERVED BY EMAIL

D

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

CASE NO: 50395/2017

In the matter between:

RONALD BOBOROFF

FIRST APPLICANT

and

DARREN RODNEY BOBROFF

SECOND APPLICANT

and

**THE NATIONAL DIRECTOR OF PUBLIC
PROSECUTIONS**

RESPONDENT

In re:

The credit balances and interest accrued in account 20-23-135877 held at Bank Mizrahi Tefahot, Israel in the name of Darren Bobroff and account 11-130-7592258 held at Bank Discount, Israel in the name of Ronald Bobroff

**IN THE APPLICATION FOR A PRESERVATION ORDER IN TERMS OF SECTION 38 OF THE
PREVENTION OF ORGANISED CRIME ACT 121 OF 1998**

THE RESPONDENT'S RESPONSE TO THE APPLICANT'S RULE 35(12) NOTICE

The Respondent's response to the Applicant's Rule 35(12) notice appears below.

Ad paragraph 1 thereof

1. The Respondent is not in possession of these documents and requested it from the Law Society of the Northern Provinces.

Ad paragraph 2 thereof

2. Even though the Respondent's application is not based on this sale agreement and the Applicant's (as directors of Ronald Bobroff and Partners) should be in possession of the sale agreement, the Respondent requested it from the Law Society of the Northern Provinces.

Ad paragraphs 3 and 4 thereof

3. These documents are attached to the supporting affidavit of Christiaan Gouws.

Ad paragraph 5 thereof

4. This issue is addressed in paragraph 1 above.

Ad paragraph 6 thereof

5. The Respondent is uncertain whether the Applicants are requesting the registration documents of their own firm. If so, the Respondent is not in possession thereof.

Ad paragraphs 7 to 9 thereof

6. Even though the Respondent's application is not based on these documents and the Applicants should be in possession thereof, the Respondent requested the documents from the Law Society of the Northern Provinces.

Ad paragraphs 10 and 11 thereof

7. The Respondent is not in possession of these documents and requested it from the Law Society of the Northern Provinces

Ad paragraphs 12 to 14 thereof

8. The Respondent's application is not based on these documents but on the MLA. However, the Respondent requested the documents from the Israeli Police.

Ad paragraphs 15 to 20 thereof

9. The Respondent's application is not based on these documents as the warrants were merely used to explain the chronological flow of events. However, the documents were requested from Adv Adele Carstens.
10. On 13 September 2017, Adv Adele Carstens provided the Respondent with the letter which is attached hereto as **Annexure 1**.

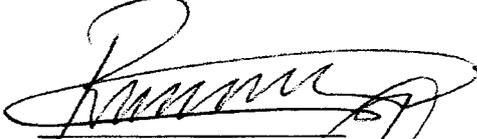
Ad paragraphs 21 to 23

11. The Respondent's application is not based on these documents. This is but a conclusion arrived at by the individual at Interpol who summarised the facts of the case in order to issue the Red Notice. No document in support thereof are in the possession of the Respondent.

Ad paragraph 24

12. The Respondent is not in possession of this document and requested it from the relevant Department.

Dated at Pretoria on 15 September 2017



STATE ATTORNEY

Respondent's Attorney

SALU Building

Ground Floor

Cnr Andries and Schoeman Streets

Pretoria

Tel: 012 309 1677

Cell: 073 434 1293

Email: RMathaga@justice.gov.za

Reference number: R Mathaga Z56/_____/2017

TO: The Registrar of the High Court, Pretoria

AND TO: **JOHN JOSEPH FINLAY CAMERON**
Attorney for 1st and 2nd Applicants
Hurlingham Office Park
Block G, Ground Floor
Cn William Nicol & Republic Roads
Sandton
Tel: 011 285 0043
Fax: 011 325 4780
E-mail: johncam@mweb.co.za
Ref: J Cameron
C/O Friedland Hart Solomon Nicolson
Monument Office Park
Block 4, Third Floor
79 Steenbok Avenue
Pretoria
Tel: 012 424 0200
Fax: 012 424 0207
Ref: Trudie van Straaten

Served by e-mail on johncam@mweb.co.za

Annexure 1



The National Prosecuting Authority of South Africa
Igunya Jikelele Labetsutshisi bolizantsi Afrika
Die Nasionale Vervolgingsgesog van Suid-Afrika

Specialised Commercial Crime Unit

JOHANNESBURG

Tel: +27 11 224 7500
Fax: +27 11 224 7535

64 Eloff Street
Johannesburg

P/Bag X4158
Johannesburg
2000
South Africa

www.npa.gov.za

Ref no.: 10/1/2/2

Tel.: (011) 224 4801

Fax.: (011) 224 7535

Enquiries: Adv A Carstens

13 September 2017

Att: R Mathaga
Office of the State Attorney
Pretoria

PER E-MAIL

Dear Sir

RONALD D & DARREN BOBROFF
CASE NUMBER 50395/17 GAUTENG DIVISION PRETORIA
YOUR REF R MATHAGA/Z56/2017

1. Your letter dated 7 September 2017 refers.
2. The written application referred to was made by Lt Col Marais of the South African Police Service
3. The application and other documents requested are contained in case docket Rosebank Cas 105/4/2013.
4. The investigations in this matter are still ongoing.
5. As such, the content of the docket is deemed privileged and not subject to disclosure.

Yours truly

ADV A CARSTENS



Justice in our society, so that people can live in freedom and security

**SENIOR STATE ADVOCATE
SPECIALISED COMMERCIAL CRIME UNIT: JOHANNESBURG**

Guided by the Constitution, we in the National Prosecuting Authority ensure justice for the victims of crime by prosecuting without fear favour or prejudice and by working with our partners and the public to solve and prevent crime



Attorneys
Fidelity Fund
South Africa

Your Champion in the Legal Profession Since 1941

Your Ref: H Kaplan/FS
Our Ref: JML/dh/9107/C1/Bobroff & Partners Inc.

(Please quote our reference in all correspondence)

22 May 2017

First City Kettleho

Email : fatima@kettleho.co.za

Dear Sirs

Claim no. Ronald Bobroff; Darren Rodney Bobroff; Stephen Derek Bezuidenhout (Bobroff & Partners Inc.)

We refer to your letter dated 09 May 2017.

Please find enclosed herewith our Claim Browser Summary, which is self-explanatory. Should you have any further questions, please feel free to contact us.

Yours faithfully

J M LOSPER (Mr)
CLAIMS EXECUTIVE

Office +27 (0) 21 424 5351 Fax +27 (0) 86 549 2050 Email attorneys@fidfund.co.za Website www.fidfund.co.za
Physical 5th Floor, Waalburg Building, 28 Wale Street, Cape Town, 8001, South Africa
Postal P O Box 3062, Cape Town, 8000, South Africa Docex Docex 154, Cape Town

B M Molefe (Chief Executive Officer), A M Stansfield (Finance Executive), J M Losper (Claims Executive), J B de Beer (Forensic Executive)
P Z Ndima (Senior Claims Manager), R Burawundi (Investment Executive), S D Maile (Board Secretary)

Claim Browser Summary

BOBROFF, RONALD; BOBROFF, DARREN RODNEY; BEZUIDENHOUT, STEPHEN
DEREK : 9107

#	Claimant	Type Of Claim	Status	Date	Amount
1	WILLIAMS, TERRENCE KENNETH	Third Party	Not Proceeded With	09/05/2017	R 35,186.77

Requirements for Establishing a Claim

To establish a claim against the Fund, a claimant must prove:

- that he/she has suffered pecuniary loss
- by reason of theft committed by an attorney, candidate attorney or employee of the attorney
- of money entrusted by or on behalf of the claimant to the attorney
- in the course of the attorney's practice as such.

Typical losses covered by the Fund include the theft of:

- money from deceased or insolvent estates;
- money held pending registration of the transfer of immovable property;
- settlements in personal injury claims.

The Fund does not reimburse the following losses arising from:

- negligence by a practitioner in the conduct of his or her practice;
- business transactions with the attorney;
- money that is handed to an attorney for investment purposes;
- loans to the attorney.

Certain relationships such as family, business or partnership associations will preclude a person from claiming.

Claims

How to Submit a Claim

Prospective claimants should note the following:

Notice of the claim should be given to the Law Society of the province in which

the claimant resides (<http://www.fidfund.co.za/sunpliers/review-published-tenders/how-to-submit-a-claim/>)