

28 Oct 11 10:05

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HOUGHTON HARPER

ATTORNEYS & CONVEYANCERS

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19 October 2011

MR JEFFREY KATZ
PO BOX 784262
SANDTON
2146

BY REGISTERED MAIL

Dear Sir

RE: DISCOVERY MATTERS

The above matter and the telephone call on 11 October 2011 between Judy Harper and yourself refers.

It is common cause that you contacted our offices with the intention to speak to the writer, and when informed she was unavailable, you insisted to be put through to the writer's personal assistant, Judy.

Judy recorded that you have alleged that Houghton Harper has a complaint against Discovery. Further, that there were a number of issues that the writer needs to understand, further yet that if the writer did not call back, she would be dragged into the issue with a "big firm" and reported to the Law Society.

The writer has chosen to conduct our interaction in writing.

The writer requires you to kindly explain the above as in the writer's opinion it is a very definite threat against her and her firm.

Your urgent written advises are awaited.

Yours faithfully

MRS G HARPER
HOUGHTON HARPER INC

28 Oct 11 10:05

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19 October 2011

Discovery
Health

Mrs G Harper
HOUGHTON HARPER ATTORNEYS & CONVEYANCERS
14 St John Road
Houghton Estate
HOUGHTON

By e-mail: info@houghtonharper.co.za

Dear Mrs Harper

DISCOVERY MATTERS

I refer to your letter dated 18 October 2011.

I find it strange that you appear to be unaware that your firm and / or your client William James Armstrong has lodged a complaint against Discovery with the Council for Medical Schemes. A copy of such complaint, together with the correspondence pertaining to the complaint is attached hereto.

We note that the complaint is based on a draft affidavit ostensibly compiled by Ronald Bobroff and Partners Attorneys given its identical nature and content to various other complaints drafted and lodged by that firm.

We are more than happy to defend the complaint and will be doing so within the allotted time periods. Having said that, the writer has indeed been trying to contact your Mrs Harper in order to appraise her of the background to the complaints to the Council for Medical Schemes.

We also wish to note that we are extremely concerned at the tone and content of your Mr Condogannis' letter dated 20 June 2011 to Munro Flowers and Vermaak Attorneys and would suggest that such a communication is unbecoming of a respectable law firm.

16 Freedom Drive, Sandton PO Box 788722, Johannesburg 2146. Tel (0800) 99 88 77 or (011) 782 0767 (Local 5165111)
(011) 539 2058 (Sec. Office); Fax (011) 539 2058; www.discovery.co.za

Directors: M I Rikoodie (Chairperson), A Govor (Group CEO), G J Pienaar (CEO), Dr B A Bax, P Coetzee,
S N Eloff (MD), R Eloff, H D Eloff, H S Kuyper, Dr T V Eloff, H P Kuyper, V J Kuyper, A J Oosthuizen, A P Oosthuizen,
J J Robertson (CEO), S L Seibler, T Winkler, R Swartzburg, Dr P M Botha, S V Zima (Gen. Mgr), Secretary: M J Botha.

Discovery Health (Pty) Ltd, Registered member, 1997/013466/07
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To the extent that you wish to discuss these matters, the writer remains available at any time. Should you however not wish to discuss this, we will have no choice but to proceed in the normal course with both a defense of your complaint to the Council for Medical Schemes as well as to institute all other actions as may be advised by our attorneys.

We trust you find this in order and look forward to hearing from you.

Yours faithfully,


Jeff Kalk
Discovery Health (Pty) Ltd
Tel no: 011 529 5193
E-mail: jeffreyk@discovery.co.za

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Date:
20.10.2011

Your ref:
MS J ROYZENAI/ARMSTRONG

Our ref:
MR Y CONDOGIANNIS/A011

MUNRO FLOWERS & VERMAAN
PER FACSIMILE (011) 327-5425

Dear Madam,

RE: PRINCIPAL MEMBER	:	MR WJ ARMSTRONG
MEMBER NUMBER	:	143804970
DEPENDENT NUMBER:	:	MRS DENISE THERESA ARMSTRONG

Kindly find enclosed herewith signed and completed Undertaking by Mrs Armstrong.

We wish to place on record that we are not pleased to have our client sign the undertaking, but that we finally relented since Mrs Armstrong requires treatment. We would not want our client to be affected as result of not completing the Undertaking.

We place on record the following:

1. The terms imposed on our client/s are draconian, and most likely not enforceable under law;
2. Certain of the clauses, specifically 5, amount to a threat and placing our client under duress to sign, in effect;
3. Clause 5 in one of its possible consequences places an onus on client to "police" her attorney, for eg, and she may face termination of her membership if her attorney were to fail to pay over the funds;
4. The threats to withhold payment or reverse medical expenses validly incurred or paid is the worst kind of bullying tactic, when in fact client has paid for the service;
5. It is highly likely, in fact probable, that many of these clauses will be found to be inconsistent with and/or in contravention of the Consumer Protection Act.

We certainly hope that as attorneys for Discovery you will advise them that continuing in this fashion will eventually lead to some very unsatisfactory news coverage, or litigation, or both.

The conditions are despicable.

Yours faithfully,

Ioannis Condogiannis
MR Y CONDOGIANNIS
HOUGHTON HARPER INC.

DIRECTORS:	DUNCAN HOUGHTON (D.B.A.), GIUSETTA HARPER (D.B.A.)
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