

Khomisani Constance Mabasa states under oath in English as follows:

1  
I am a black female 34 years old with ID number 7710190255080, Residing at no 250 Motseki Street Mokoena Section Katlehong. I am currently unemployed. Cell phone number 0739230281.

2  
On Monday 13/4/2009 at 08:00AM in Bela Bela I was involved in a vehicle accident. My left arm was severely injured. I received treatment in Bela Bela hospital and was later transferred to Ntatspruit Hospital where I stayed for 6 weeks. While I was in hospital a person called Jabu came to my husband Nelson and said to my husband that he must accompany him (Jabu) to the offices of Norman Berger to claim from the road accident fund for me. This occurred when my husband Nelson visited me at hospital.

3  
After I was discharged from hospital Jabu came to my residential address at 250 Motseki Street. Jabu took me to the offices of Norman Berger. I was attended to by a black lady speaking Tsonga. I don't know her name but she has the following description: slender build with long hair and neatly dressed in office clothing. No glasses. I will recognize her if I see her again. I did not speak to Berger or Millar. While I was at Norman Berger the lady never spoke to me about fees or disbursements or contingency issues. I was at their offices 3 times. On the other occasions different black ladies attended to me. I don't know their names. Sometimes Jabu took me and sometimes 3 black males. I don't know their names. They drove a Hyundai Getz, Blue/green in color. With every visit I signed documents. They did explain the documents to me.

4  
I did receive a statement of account. In January or February 2011 I received about R79000. In about March /April 2011 I received another R91000. After that payment I have never received any other money. I fetched these payments as cheques from the offices of Norman Berger. The first time I fetched the first cheque I was told by the receptionist who is also a black lady not to talk to anyone about the money that I received. I have not been contacted by anyone of these agents or employees of Norman Berger in the last 12 months.

5  
I request and authorize either SAAPIL and /or The Law Society of the Northern Provinces or anyone instructed by either of them to obtain my complete file from Norman Berger and Partners INC. I do not wish to have any communication with Norman Berger and Partners INC, their employees or agents. I request SAAPIL and the Law Society of the Northern Provinces to investigate the manner in which I became their client and the way in which they dealt with me and my claim. I confirm that I make this affidavit out of my own free will and that I have not been threatened or offered any payment in return for doing so. I confirm that this statement was translated to me in Tsonga by Mr. David Mamosebo.

6  
I am familiar with the contents of this declaration. I have no objection to taking the prescribed oath. I see the prescribed oath as binding on my conscience.

24/5/2012  
Katlehong  
18:00 PM

C Mabasa

I certify that I David Mamosebo translated this declaration from the English language to the Tsonga language.

Name: David Mamosebo  
CELL: 076 566 8288  
Address: 3727 Ntsh'icame Str  
K Aeniso

## Affidavit

I the undersigned

Mrs. Thandi Magaret Ndlovu


do hereby make oath as follows:

1. I am an adult female, with ID number 650510 0848 086. I am and currently unemployed and I reside at 1870 Senoane Soweto. My cell phone number is 076 800 6834.
2. I was involved in a motor accident on or about the 5<sup>th</sup> of May 2009. I was a passenger in a taxi travelling from Natal to Johannesburg.
3. I was badly injured in the collision and was transported first to the Hospital at Heidelberg, and thereafter to the Natalspruit Hospital.
4. I remained under treatment at the Heidelberg Hospital for approximately one day and was thereafter transferred to the Natalspruit Hospital where I remained under treatment for approximately one month and thereafter I was transported to the Sebokeng Hospital where I underwent an orthopaedic procedure on my hip.
5. While I was at the Natalspruit Hospital I was approached in my ward by an African male known to me as Jabu who advised me that he could help me bring a claim in respect of the injuries suffered by me as a result of my accident as this was what he did. He mentioned to me that he was employed by Norman Berger and Partners Inc, a firm of attorneys in Johannesburg and that he wanted me to be a client of that firm of attorneys.
6. Jabu had no knowledge of either me or the accident that I was involved in but apparently was walking from ward to ward trying to sign up accident victims for this firm of attorneys Norman Berger and Partners Inc. After I had received the orthopaedic procedure at Sebokeng (my treatment lasted there about five days) I returned to Natalspruit Hospital where Jabu once again visited me in a ward.
7. I remained at Natalspruit Hospital on the second occasion, after being transported back to Natalspruit Hospital for approximately three weeks. During that time Jabu communicated with me and took my telephone numbers and contact details.
8. After my discharge from the Natalspruit Hospital I lived with my husband in Jeppe Street in the Johannesburg City Centre.

T. M. Ndlovu



9. Approximately three weeks after I had moved in to my husband's apartment in the city centre, Jabu communicated with me telephonically and requested to learn whether he could collect me from my husband's flat to take to the offices of Norman Berger and Partners Inc.
10. Approximately a week after the telephone call I was collected from my husband's flat by Jabu and was driven by Jabu to the offices of Norman Berger and Partners Inc in Johannesburg.
11. At the offices of Norman Berger and Partners Inc a female employee, a non-European lady whose name I do not recall took a statement from me as to the circumstances of the accident. I recall signing the statement. I recall signing other documents at the first consultation but do not recall what the documents were. Jabu then gave me a lift back home.
12. I think the statement was taken from me round about September 2009 and I heard nothing from Norman Berger and Partners Inc and telephoned Jabu sometime during January 2010. Jabu then advised me that he no longer works at Norman Berger and Partners Inc. He was therefore not in a position to give me an update on what was happening with my claim. He did however give me the phone numbers of the firm Norman Berger and Partners Inc. to communicate with regard to my claim.
13. I telephoned Norman Berger and Partners Inc and spoke to people whose names I cannot recall who advised that they were not in possession of my phone numbers but that Jabu had my phone numbers and that they could not get hold of me that now needed to make appointments with various doctors to pursue my claim.
14. I do not recall the names of the drivers who collected me to take me to doctors but recall certainly that I visited at least four doctors at the instance of Norman Berger and Partners Inc in their preparation for my trial herein.
15. I was advised by Norman Berger and Partners Inc that this matter would be proceeding to trial but it did not go to trial. I was taken by Norman Berger and Partners Inc for an interview at the Road Accident Fund where I was interviewed by an employee of the fund as to the extent of my injuries and I had to explain my injuries to the fund's employee.
16. The matter was then apparently settled and I was handed a cheque by Norman Berger and Partners Inc in an amount of R 57 148.88 (fifty seven thousand, one hundred and forty eight cents and eighty eight cents) which I deposited into my account on or about the 22<sup>nd</sup> of August 2011. I annex here a statement of account received from Norman Berger and Partners Inc handed to me at the time that I received the said cheque.
17. That was the last of my dealings with Norman Berger and Partners Inc.

Tim Allen  


18. I record that I have not in any way or manner been forced to depose to this affidavit, I have not received any compensation for making this affidavit and such affidavit has been made out of my own free will.

Tim nde  
DEPONENT

SIGNED AND SWORN to before me at Johannesburg on this the 24 day of April 2013 by the deponent who states that she knows and understands the contents of this affidavit and who has further acknowledged that:-

- a) she has no objection to taking the prescribed oath;
- b) she considers the prescribed oath as binding upon her conscience; and
- c) she further uttered the words "So Help Me God" in my presence.

SUID AFRIKAANSE POLISIE  
STATION COMMANDER  
24 APR 2013  
CLIENT SERVICE CENTRE  
NOBUNWEE  
SOUTH AFRICAN POLICE

Amoyah  
COMMISSIONER OF OATHS  
M. M. Ramoelo  
Sgt. N. N. N. N.  
12 Paterson Street  
Nobunwee

Tim nde

Ik verklaar dat die inhoud van hierdie swer  
my eie woorde is en dat ek dit swer van  
vrye wil en sonder enige dwang of  
beïnvloeding gemaak het. Hierdie swer  
word gemaak om te bewys dat die  
inhoud van hierdie swer die waarheid  
is.

I hereby declare that the contents of this  
oath are my own words and that I have  
made this oath voluntarily and without  
any coercion or influence. This oath  
is made to prove that the contents  
of this affidavit are true.

Nobunwee / 2013/04/24 om 14:20

Amoyah  
COMMISSIONER OF OATHS  
(SUID-AFRIKAANSE POLISIE)  
VOLLE VOORNAAM EN AFTREKSEL  
FULL FIRST NAME AND SURNAME IN BLOCK LETTERS  
Sgt. N. N. N. N. / 12 Paterson  
STREEKADRES (STREET ADDRESS)  
STREET ADDRESS IN BLOCK LETTERS  
Nobunwee

SA POLISIE  
SA POLICE

Affidavit

I, the undersigned

Jabu Aizakwa

do hereby make oath and state the following:

1. I am an adult male, identity number  
My telephone number is 079 574 9744.
2. I was employed by Attorneys Norman Berger Inc as an agent to tout claims in respect of personal injury victims from various hospitals including the Natal Spruit Hospital. I was paid R2000-00 per month by Norman Berger Inc.
3. During the (six) years I was employed by Norman Berger I touted about 15-20 clients per week. When I touted, bring clients in Anthony Miller would get angry and fight with me. I was given a car which I used to pick up and drop off clients. Amongst the clients I touted some were the following:

Umlwe Cleopatra Banda ebo Thaba Kapoko

Siwopu Sibimiyi

Mazibuko Rofiso

Sphiwe Madonsela

Sikhalo Wilness Dlamini

Nakana David Phethale

Antoni Mabimber Montsira

4. The procedure I followed was as follows:

I would be contacted by family member telling me someone they know was in an accident or I would go to the hospital and find the injured person. I would then take the client to the office. The client was never seen by an attorney. J. J. R. M.