

Paragraph 14

ATTORNEY ANTHONY MILLAR OF NORMAN BERGER & PARTNERS INC.

Paragraph 14.1

An affidavit by Attorney Millar of Norman Berger & Partners Inc (Norman Berger) is attached to attorney van Niekerk's affidavit. Anthony Millar confirms certain allegations in the last mentioned affidavit and also refers to several of his clients whose matters are referred to by attorney van Niekerk in more detail.

Paragraph 14.2

All the clients referred to by attorney van Niekerk and attorney Millar are former clients of the Bobroffs.

Paragraph 14.3

Norman Berger also acted on behalf of Ms de la Guerre whose matter is dealt with by attorney van Niekerk in his affidavit.

Paragraph 14.4

I deduce that it was attorney Millar and/or Norman Berger who provided attorney van Niekerk with the relevant information concerning these clients. It does not appear from the affidavits that Attorney Millar had instructions and authority to do so.

Paragraph 14.5

Attorney Millar and/or Norman Berger also act on behalf of Discovery.

Paragraph 14.6

All the clients whom attorney Millar and/or Norman Berger represented in actions and/or applications against the Bobroffs are members of Discovery.

Paragraph 14.7

Why all these former clients for the Bobroffs approached the same attorney, namely attorney Millar and/or Norman Berger, is not explained by attorney van Niekerk. I will offer an explanation below.

Paragraph 14.8

The Citizen reported on 21 February 2014 that attorney Millar had stated that:

It is clear that all Ronald Bobroff has done for the legal profession is to bring it into disrepute under the guise of a benevolent benefactor.

Ronald Bobroff is to South African law, what Bernie Madoff was to the United States Securities Exchange Commission.

A copy of the abovementioned article is attached hereto as annexure 199

Paragraph 14.9

Moneyweb.co.za reported on 19 February 2015 that Norman Berger is acting on behalf of eight former clients of the Bobroffs, who have claimed an amount of R9 million from them (annexure 200).

Paragraph 14.10

The feud between attorney Millar and/or Norman Berger on the one hand and the Bobroffs on the other is well-know. Attorney Millar and/or Norman Berger have submitted several complaints against the Bobroffs to the Law Society. The Bobroffs in turn have submitted several complaints against attorney Millar and/or Norman Berger.

Paragraph 14.11

The general view of attorney van Niekerk and/or the Grahams and/or attorney Millar and/or Norman Berger is that the Law Society is not sufficiently aggressive as far as the Bobroffs are concerned and that it is protecting the Bobroffs. The Bobroffs on the other hand seemed to be of the view that the Law Society is too aggressive in its approach and that it is biased towards them. None of these contentions are correct.

Paragraph 14.12

The relationship between attorney van Niekerk and attorney Millar and/or Norman Berger appears to be a close one. Attorney van Niekerk also acts as the attorney for attorney Millar, Katz of Discovery and Mr T Beamish (Beamish). Attorney van Niekerk advised the Law Society accordingly on 9 April 2015.

Paragraph 14.13

Although Beamish does not appear to be a journalist, he on a regular basis writes articles on matters concerning the Bobroffs. Beamish has not been kind to the Law Society and his articles have consistently contained harsh and unfounded criticism aimed at the Law Society. The similarities between the allegations of attorney van Niekerk and the contents of Beamish' articles respectively are uncanny.

Paragraph 14.14

I attach as annexure 201 an extract from a Google search printout which reflects the extent of Beamish's reporting on the Bobroff matter. The mischievous headings to these articles include:

Judge to decide Bobroff and Law Society's fate

Law Society "ordered" to judge Bobroff

Law Society allowed Bobroff fee regime against device.

Paragraph 14.15

In the Citizen of 14 March 2014 (annexure 202) Beamish said the following:

The Law Society of the Northern Provinces (LSNP) has procrastinated for over two years on an enquiry...

Paragraph 14.16

On Citizenalertsablogspot (annexure 203) Beamish wrote:

The LSNP has proven that it has not been extremely efficient with investigations into the conduct of its members.

Paragraph 14.17

With reference to Beamish' above mentioned comments, nothing can be further from the truth.

Paragraph 14.18

The two affidavits have recently come to the attention of the Law Society and I am duty bound to refer the Honourable Court thereto.

Paragraph 14.19

The first affidavit (annexure 204) was deposed to by Mr C E Coleman (Coleman), a client of the Bobroffs. According to Coleman attorney Millar contacted him on the 23 March 2015. He advised Coleman that the Bobroffs have misappropriated monies from the proceeds of his third party claim.

Paragraph 14.20

According to Coleman he is satisfied with the Bobroffs handling of his matter and the proceeds that he received from the RAF. Attorney Millar allegedly attempted to manipulate him against the Bobroffs and to convince him to challenge the Bobroffs fees.

Paragraph 14.21

The second affidavit (annexure 205) was deposed to by Ms M Kock (Kock), also a client of the Bobroffs. Kock was contacted by Beamish who initially pretended, unsuccessfully so, that he was working with the Bobroffs.

Paragraph 14.22

Beamish informed Kock that the Bobroffs have been stealing monies from their clients. He explained that he intended referring her to Norman Berger for assistance. Beamish allegedly also said the following:

Paragraph 14.22.1

It was the Bobroffs who requested him to refer her to Norman Berger;

Paragraph 14.22.2

The proceeds of her claim would be stolen;

Paragraph 14.22.3

The Bobroffs were in trouble due to theft of their clients' monies; and

Paragraph 14.22.4

If she did not follow his advice, she would never receive the proceeds of her claim.

Paragraph 14.23

I deduce from the abovementioned facts that attorney van Niekerk, attorney Millar, Norman Berger, Discovery and Beamish are working in close cooperation and that they may be actively soliciting complaints against the Bobroffs.

Paragraph 14.24

The disputes between the Bobroffs on the one hand and attorney van Niekerk and/or the Grahams and/or attorney Millar and/or Norman Berger on the other hand and the nature and extent thereof have placed the Law Society in an untenable position. It is for this reason that the Law Society;

Paragraph 14.24.1

Will act objectively, impartially and in an unbiased manner;

Paragraph 14.24.2

Considers all complaints to be important;

Paragraph 14.24.3

Handles all complaints equally;

Paragraph 14.24.4

Acts reasonably and fairly towards all parties involved; and

Paragraph 14.24.5

Deals with all complaints in accordance with the Law Society's Rules.