

**Ngeno & Mteto Inc**  
488 Ferhsen Street  
Unit C-C50  
Brooklyn Office Park  
Pretoria

By email: [tando@ngenomtetoinc.co.za](mailto:tando@ngenomtetoinc.co.za)

90 Rivonia Road, Sandton  
Johannesburg, 2196  
PO Box 61771, Marshalltown  
Johannesburg, 2107, South Africa

Docex 26 Johannesburg

T +27 (0) 11 530 5000

F +27 (0) 11 530 5111

[www.webberwentzel.com](http://www.webberwentzel.com)

Your reference

Our reference

Date

V Movshovich / D Rafferty / T Mbatha /  
L Mache

[1] July 2022

3025290

Dear Sirs

**Siyangena Technologies (Pty) Ltd ("Siyangena") // Passenger Rail Agency of South Africa ("PRASA") and Others (SCA case no. 487/2021) ("the appeal")**

1. As you are aware, we act for #UniteBehind ("**our client**") and refer to the above proceedings before the Supreme Court of Appeal ("**the appeal**") and to your letter dated 29 June 2022 ("**your letter**").
2. Any failure to address any aspect of your letter is not to be construed as an acceptance and admission of the contents thereof, and our client reserves its rights to respond to the content of your letter at the appropriate forum, should the need arise.
3. With regards to paragraph 4 of your letter, as you will know, our client has always been involved in the proceedings between Siyangena and PRASA as *amicus curiae* and has throughout (since inception in 2018) been represented by our offices, with your client's full knowledge (and acquiescence). It continues in that role and we continue to represent our client in this regard.
4. In any event, our client acts in the public interest as a friend of the court and does not advance or countermand the parochial interests of any party. It is clear from the contents of our client's intervention application in the appeal, dated 23 June 2022, that its participation in these proceedings seeks to assist the court in advancing public interest considerations and to protect the rights of rail commuters.

Partners

**Senior Partner:** JC Els **Managing Partner:** SJ Hutton **Partners:** BW Abraham RB Africa C Alexander AK Allie NG Alp RL Appelbaum DC Bayman KL Beilings AE Bennett AP Blair K Blom AR Bowley MS Burger M Bux V Campos RI Carrim T Cassim SJ Chong ME Claassens C Collett KL Collier KM Colman KE Coster K Couzyn DB Cron PA Crosland R Cruywagen JH Davies KM Davis PM Daya ST Dias L de Bruyn PU Dela M Denenga DW de Villiers BEC Dickinson MA Diemont DA Dingley G Driver W Drue GP Duncan HJ du Preez CP du Toit SK Edmundson LF Egypt KH Eiser AE Esterhuizen K Fazel G Fitzmaurice JB Forman L Franca KL Gawith OH Geldenhuys MM Gibson C Gopal CI Gouws PD Grealy L Green S Haroun JM Harvey JS Henning KR Hillis Z Hlophe CM Holfeld PM Holloway J Howard KT Inglis ME Jarvis CA Jennings JC Jones CM Jonker S Jooste LA Kahn SJ Kalbskopf ACR Katzke M Kennedy KE Kilner A Keyser MD Kota JC Kraamwinkel J Lamb E Louw M Mahlangu M Mkhabela S Manley V Mannar L Marais MR Mareidi G Masina T Masingi N Mbere MC McIntosh SJ McKenzie CS Meyer A Mhlongo AJ Mills D Milo NP Mngomezulu P Mohanlal M Moloi N Moodley L Moolman LE Mostert VM Movshovich C Murphy P Naidoo A Ngubo C Nöthling ZN Ntshona M Nxumalo AN Nyatsumba A October L Odendaal GJP Olivier N Paige AS Parry S Patel N Pather GR Penfold SE Phajane M Philippides BA Phillips MA Phillips CH Pienaar DJ Rafferty D Ramjetan GI Rapson K Rew SA Ritchie J Roberts Y Robbertse G Sader M Sader H Samsodien JW Scholtz KE Shepherd AJ Simpson N Singh N Singh-Nogueira P Singh S Sithole J Smit RS Smith MP Spalding PS Stein MW Straeli LJ Swaine Z Swanepoel WV Tembedza A Thakor T Theessen TK Thekiso C Theodosiou T Theunissen R Tihavani G Truter PZ Vanda SE van der Meulen JP van der Poel CS Vanmali JE Veeran HM Venter B Versfeld MG Versfeld TA Versfeld DM Visagie EME Warrington J Watson AWR Westwood RH Wilson KD Wolmarans

**Chief Operating Officer:** SA Boyd

5. In fact, PRASA has previously agreed to our client's participation in the matter from 2018, including granting consent to our client's intervention as *amicus curiae* in the appeal, with the knowledge of our firm being appointed as its attorneys of record. For PRASA now to seek to raise an issue of conflict of interest at this time is baffling to say the least.
6. With regards to our firm being on your client's panel of attorneys, there is absolutely no legal conflict. The matter to which you refer does not have a bearing on the appeal and vice versa. In any event, our client is not acting "against" PRASA.
7. Any contemplated referral to the Legal Practice Council would not only be without any foundation, but will also be fully defended and *de bonis propriis* costs will be sought against those responsible for these unwarranted accusations, which only serve to muddy the real issues in the appeal..

Yours faithfully

**WEBBER WENTZEL**

**V Movshovich**

Direct tel: +27 11 530 5867

Direct fax: +27 11 530 6867

Email: [vlad.movshovich@webberwentzel.com](mailto:vlad.movshovich@webberwentzel.com)

***Transmitted electronically without signature***