

Hello, Pavershree,

We are writing to you in regards the Applicants' Replying Affidavit that you send to Us on 20th September 2017.

We want to clarify the situation as there are some irregular steps being taken and We question the rightness/lawfulness of them.

Firstly, on The Directions Hearing held in Ubombo Magistrate's Court on 15th August 2017 in the presence of iSimangaliso's lawyer Kevin Pretorius and SAHRC's lawyer Zikalala, We inquired about the pre-trial documents, specifically interrogatory and production of the documents, and We were told We have to submit them to SAHRC and court clerk by 5th September 2017. Both lawyers present told Us that it is up to Human Rights Commission to decide if they will submit the documents or reply to Us with the opposition and that they will do so by 18th September 2017.

We submitted the documents to court on 5/9/2017 and collected the witness subpoena forms on 8/9/2017. We already started the process of delivering them to witnesses on 11/9/2017. The two days after the deadline set by the court We received from you the Applicants' Replying Affidavit only. We got no response from your department with regards to Our pretrial documents, more specifically with the decision as to what documents will be produced (DISCOVERY ORDER).

Secondly, We want to draw your attention to fact that this affidavit is unreasonable and prejudice and that the First Applicant, namely Andrew Zaloumis is not acting truthfully, as can be seen:

- In paragraph 3. he denied the contents of Our Affidavits in its entirety, which is not possible to do in truth as there are many facts stated which are known and verifiable.
- In paragraph 4. and 6. he declared that Our witnesses are not relevant to the case, yet their testimony is to clarify ANNEXURE 1, ANNEXURE 2 and ANNEXURE 3; We solely gave The Applicants more specific field of testimony of Our witnesses. If Jacinta Ngobese that testifies in order to clarify ANNEXURE 3 is allowed, so must be the rest of the witnesses. His pleading to Court that Our witnesses are not allowed to testify is pointing to his prejudice and shows that he does not seek a fair trial but merely Our condemnation, as shown in paragraph 8.
- In paragraph 5. he stated that all the documents We submitted to court are not relevant to the trial, which is again not true as they all are as We stated therein to prove the validity of the statement The Second Respondent is being accused of in the Founding Affidavit.

We however did not have any response from The Second Applicant and We are still waiting for it.

We await your prompt reply.

Sincerely

Inanna Katarina Krizani and Enki Andre Slade

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