

## **Affidavit**

I, **Michael Douglas Hosking**, an adult male of Rivonia, Sandton, Gauteng,  
a Berufsingenieur (Professional Engineer) Germany; employed as the  
Executive Director - South African Society for Professional Engineers;  
Vice President and CEO of the International Society for Professional Engineers  
Chairman of Professional Engineering Placements  
Member Board of Control - International Union of Professional Engineers,  
UIDIP Strasbourg France;  
Member of Council of Society for Professional Engineers UK,  
Full Professional Profile attached (Annex. A)

Do make the following Affidavit under oath and in English.

1. On Friday 11<sup>th</sup> July 2008, the Sheriff of the Court in the Magisterial District of Randburg delivered a Summons (Annex. B) for the amount of R 2256-18 ( Two thousand two hundred and fifty six rand and 18 cents ) on behalf of the Plaintiff, a Dr. M.L.Roberts c/o Sandton Clinic, H.F. Verwoerd Drive, Sandton.
2. Dr M.L.Roberts had instructed an Attorney a Mr Gerrie Basson (Attorney Number 3) who gave a false and non existent address of C/o T S Credit Consultants (Pty) Ltd P/a Beares, Cnr Pretoria Avenue & Hill Street, Randburg to issue a summons, knowing full well that she, Dr Roberts, had been fully paid.
3. Dr M.L.Roberts also instructed the Attorney Gerrie Basson, to give a false address for her, the Plaintiff as Dr M.L.Roberts C/O Sandton Medi Clinic, H.F.Verwoerd Drive Sandton, knowing full well that she did not practice from this address and that name of the Road had changed and that the Sandton Medic Clinic is not situated in H.F. Verwoerd Drive, see photos (Annex C)
4. The account (Annex D) was paid in full and the amount of R2256-18 was paid into the account held by Dr M.L.Roberts at Investec Bank on the 6<sup>th</sup> July 2007, (12 months ago). A copy of the deposit slip was faxed to Dr M.L.Roberts at her given fax number 011 791 3566. (Annex E & F) with the reference shown.
5. Our Bank Nedbank Ltd, have confirmed that the amount of R 2,256.18 was paid to Dr M.L.Roberts at Investec Bank Ltd on the 6<sup>th</sup> July 2007. (Annex G)
6. Dr M.L.Roberts, is currently under investigation as a member of the team for a botched Medical Procedure ( Operation number 2 ) where she was hired by a Dr. M.C.E. McDonald, who tried to repair and correct the damage done by his father in law, Dr F. Weber of Sandton Clinic. Her costs should have been paid for by the said Dr Weber.

7. Dr M.C.E. McDonald MP 0160259/2006/243 at the time of the operation number 2, was under Investigation by HPCSA and was subsequently found guilty of unprofessional conduct and paid an admission of guilt fine of R10,000-00 ( Annex H )
8. A medical Malpractice claim against Dr F Weber and his team who botched up Four Operations for the amount of R 1,890,000-00 is in the process of being finalized.
9. I hired an Attorney, Mr Gordon Martin who enter an appearance to defend, but the Sheriff of the Randburg Court could not deliver the Court Process, as the address of both the Attorney, Gerry Basson and that of the Plaintiff Dr M.L.Roberts were false. A non return of service was given to my attorney. See Confirmation of Appearance to Defend (Attach I)
10. My Attorney Gordon Martin and myself, independently visited the site of the false address given by the attorney, and the attached pictures will prove that there is no such address. See (Annex C)
11. At the same time the address given by Dr Roberts as shown in the summons, was visited, proving that the address that she instructed the attorneys to use was also false. Dr M.L.Roberts is not known at the address she has given in the Court Documents.
12. My Attorney then filed Legal Documents on the 17<sup>th</sup> day of July 2008 by email and a copy to the Randburg Magistrates Court a REQUEST FOR FURTHER PARTICULARS which has been ignored to date ( See Annex J )
13. On the Morning of the 25<sup>th</sup> July 2008, a messenger employed by Attorney Gerrie Basson delivered a NOTICE OF WITHDRAWAL to my private residence. The Notice was delivered by a person who gained entrance to my private Residence, driving a Grey Mazda Registration number XHD 330 GP. In terms of the Rules of Court, the Notice of withdrawal should have been served on my Attorney of record by the Sheriff of the Court Annex K ) .
14. The Notice of withdrawal should have also tended wasted costs in Terms of Court Rules.
15. Despite repeated demands by my attorney, through Dr M.L.Roberts' Attorney, to pay the wasted costs of the false claim, she has refused to settle the Legal costs to date and have my name removed from the Credit Bureau.
16. The background to these events is that I had four operations between 5<sup>th</sup> February 2007 and 23<sup>rd</sup> March 2007. It was for a hip replacement which was botched, followed by a further 3 operations which were also botched.

17. This has resulted in me having to walk permanently with a Crutch or Walking stick and I am in constant pain. I have to take pain tablets all the time.
18. A separate complaint is being made against the Orthopaedic surgeon, Dr Weber of Sandton Clinic.
19. **Operation 1-** for a total hip replacement on the 5<sup>th</sup> February 2007 to 16<sup>th</sup> February 2007.
20. **Operation 2** to repair the botched operation 1 - on the 18<sup>th</sup> February to 21<sup>st</sup> February 2007. Dr McDonald, Dr Weber's son in law and Dr M.L.Roberts were the Medical Team.
21. **Operation 3** on the 7<sup>th</sup> March 2007 to 12 March 2007 to repair the botched operation number 1 & 2 carried out by Dr Weber
22. **Operation 4** from 16<sup>th</sup> March 2007 to 23<sup>rd</sup> March 2007 to repair the botched operation 1 and to correct the botched operations number 2 & 3, after Dr Weber walked away from his obligations. Dr Stein tried to correct the problem. Operation number 4 was also a part failure.
23. **While in Hospital** with operation number 3, four days after operation number 2, Dr M.L.Roberts hired debt collectors who visited me in hospital and started threatening me on my private cell phone. They also called my home and threatened my wife. One of them named Gavin left a phone number as (011) 801 0538, the second had the name Brian who left an email address as brian.lueller @wbs.co.za. The third was Denise and the last was Celeste of TS Credit Consultants 087 9401570, who sent me daily SMS messages. At this stage I had not even received the Bill.
24. It was clear that Dr M.L.Roberts was either short of money or was under pressure to pay somebody else and was acting in an unprofessional manner.
25. While at home recovering from operation number 4, I received an anonymous phone call from one of the Sisters at Sandton Clinic, who informed me that I should carry out a full investigation on all the operations, as the Doctors were trying to cover up a problem. I should also investigate operation number 2 involving Dr McDonald and Dr M.L.Roberts.
26. She was vague but suggested that the Doctors listed may not have been the Doctors who were in Theatre. Mention was made that Dr McDonald's wife (who is Dr Weber's daughter) is also an anesthesiologist and also pregnant and that I should investigate this.
27. On the 20<sup>th</sup> May 2007, I sent a draft report to all Doctors and medical labs, setting out the problems I had had in the four operations (Annex L)
28. I decided to request all Doctors' reports and notes and sent a request by email to all Doctors on the 20<sup>th</sup> May 2007, including Dr M.L.Roberts (Annex L).

29. I was called by Louise Sole, Sandton Clinic's Hospital Manager, who informed me that they did not know Dr M.L.Roberts at all.
30. On the 31st of May 2007 I informed all doctors that there was a problem with certain Doctors who had given false addresses.(Annex M)
31. On the 14<sup>th</sup> June 2007, I sent out a Notice offering a reward of R500-00 for the correct address of Dr M.L.Roberts, so that we could serve court documents on her to obtain an affidavit and notes.(Annex N )
32. It is clear that she had received all past correspondence or Dr McDonald had passed the email on to her, because on the 15<sup>th</sup> June 2007, I received a lawyer's letter from lawyer number 1. This confirmed that she was fully informed at all times of the events, but was not prepared to make an affidavit that she was the Anesthetist in question. (This raises further Questions.) .
33. I decided to settle her bill, to avoid any legal problems from her side in the form of a summons for non payment of her bill, making it clear on the cheque endorsement that legal action would follow from my side.
34. Dr M.L.Roberts, hired four attorneys practicing in Sandton, Randburg ( False Address), Pretoria and in Sandton.and did not inform any of the attorneys of her dealings with each other and hired each of them for difference purposes.
35. Dr Roberts hired **Attorney number 1** on the 15<sup>th</sup> June 2007, Mrs L Silberman, who practices in Sandton, to inform us that all correspondence with Dr Roberts must be sent to Mrs L Silberman ( see Annex O) She also informs us that Dr M.L.Roberts will not give us her address neither professional nor private.
36. Dr Roberts then hires **Attorney number 2** on the 12<sup>th</sup> July 2007. Attorney L. Havenga of the Law firm McRoberts Inc. in Pretoria, who specialise in protecting doctors from Medical Malpractice. I am not certain what she was trying to hide, because at this date, while we had asked her for her Medical Reports, via a published notice, no complaint had been filed against her. Her Bill had also been paid and the money was in her account at Investec Bank.
37. Dr M.L..Roberts, acted in an unethical manner and handed over confidential medical records of mine to a 3rd Party, Ms L Havenga, Dr M.L.Roberts without my authority instructed the said attorney to fax them to my business fax with her Medical Comments for my entire office to view. Dr. M.L.Roberts is guilty of breaching the rules of Confidentiality and privacy in terms of the Hippocratic Oath ( See Annex P& Q ) It is clear she acted with total disregard to my rights.
38. Dr M.L.Roberts, then hired **Attorney number 3** to send out a false Claim in the form of a summons. (See Clause 2 above)

39. After we received the Summons, we tried to contact Dr M.L Roberts, as her attorney had given false contact information. She also had my name sent to the Credit Bureau.
40. After we failed to contact the attorney or Dr M.L.Roberts, we gave the story to Sandton Business who took up the matter and published the fact that I had paid the Bill
41. On the 18<sup>th</sup> July 2007 I received a letter from Attorney number 4, who failed to correct the problem with the summons, and stated that he would get a Court order against me if I reported her to the SAPS or the HPCSA.( Annex R)
42. My attorney Gordon Martin wrote to Dr M.L.Roberts Attorney Gerry Martin on the 13<sup>th</sup> August 2008 (Annex S) and to date there has been no response from Dr M.L.Roberts.
43. I wish to bring a formal complaint against Dr M.L.Roberts, for unprofessional conduct, or conduct which with regard to your profession, is unprofessional in all her dealings and all the actions.
44. If requested, I will draw up the charge sheet covering each and every complaint against Dr M.L.Roberts in point form for the HPCSA.
45. I am requesting that Dr M.L.Roberts be suspended from Practice for 5 years, of which 3 years is suspended provided that she does not commit any further acts of unprofessional conduct and ordered to refund all legal and other costs incurred by her for her actions.
46. I am requesting that she publish an apology to me in all the daily newspapers and the Professional Engineers Website.( the wording to be confirmed by me )

I, Michael Douglas Hosking ID No 4707305012086, the Author of the above, have no objection in taking the prescribed oath, and consider it binding on my conscience.



Signed : M.D.Hosking

Sworn and signed before me at this day of 2004

erken dat hy/sy verstaan en dat die inhoud van die verklaring en die begrip. Hierdie verklaring is bevestig/bevestigig voor my en verklaard te handtekening/duimafdruk/mark is in my teenwoordigheid daarop aangebring.

acknowledges that he/she understands the content of the declaration which was sworn before me and the deponent's thumb print/mark was placed there in my presence.

.....  
 Vredesregter/Justice of the Peace  
 Kommissaris van Ede/Commissioner of Oaths

Volle voorname en van .....  
 Full first names and surname .....  
 (DRUKSKRIF / BLOCK LETTERS)

Amp (rang) .....  
 Designation (rank) .....

Besigheidsadres .....  
 Business address .....  
 Straatadres moet ingevul word / Street address must be stated

Commissioner of Oaths  
 Datum 2004-10-20 Plek SANDTON  
 Date Place

SUID - AFRIKAANSE POLISIEDIENS  
 DIST. 80  
 KLIENTE DIENS SENTRUM  
 2008 -10- 2 0  
 CLIENT SERVICE CENTRE  
 SANDTON  
 SOUTH AFRICAN POLICE SERVICE

Full Names :

Address :

Official Title:

Telephone Number :



Issued by Case No. 29/11/07 0049516

ISSUED BY: UITGEREIK DEUR

Date: 29/11/07

MAGISTRATE RANDBURG

R20 Revenue Stamp

Clerk of the Court

**No. RM2 Summons Commencing Action (Ordinary)**

Sued out by  
**GERRIE BASSON ATTORNEYS**  
 C/o TS Credit Consultants (Pty) Ltd P/a Beares  
 Cnr Pretoria Ave & Hill street, Randburg  
 PO Box 6268, Westgate, 1734  
 Tel: 011 660-7891 Cell : 082 825 5290

Signature of Plaintiff or his Attorney  
 Ref: ROB100  
 Date: 26 November 2007

In the Magistrate's Court for the District of **RANDBURG** held at **RANDBURG**

Between

**DR M L ROBERTS (ANAESTHESIOLOGIST)**

And

**MR MICHAEL DOUGLAS HOSKING (470730 5012 086)**

TO: - **MR M D HOSKING, AN ADULT MALE C/O SOCIETY FOR PROFESSIONAL ENGINEERS, 24 HOLT STR, GLENADRIENNE, JOHANNESBURG**

You are hereby summoned that you do within **5 (five) days** of the service of this summons deliver or cause to be delivered to the **Clerk of the aforesaid Court** and also the **Plaintiff or his Attorney** at the address specified herein, a notice in writing of your intention to defend this action and answer the claim of

**DR M L ROBERTS C/O SANDTON MEDI CLINIC, HF VERWOERD DRIVE, SANDTON**

the plaintiff herein, particulars whereof are endorsed hereunder

**(1) Particulars**

Plaintiff's claim against Defendant is for payment of the sum/balance of **R2256.18** for **PROFESSIONAL SERVICES RENDERED** by the Plaintiff to the Defendant at the special instance and request of the Defendant in and during **18/02/07**. Despite lawful demand Defendant has failed and/or refuses to pay the aforesaid sum, which is due and payable plus interest at 15.50% per annum a tempore morae to date of final payment.

The whole cause of action arose within the jurisdiction of the above Honourable Court.

Wherefore Plaintiff pray for judgment against the Defendant for payment in the said sum, with costs.

Costs if the action is undefended are as follows :		Summons	Judgment
Attorney's charges	R	56.00	56.00
VAT on Attorney's charges	R	7.84	7.84
Court Fee	R	20.00	
Letter of Demand	R	31.95	
Rule 54(1)	R		
Sheriff's Fees	R		
Sheriff's Fees on re-issue	R		
Totals	R	115.79	63.84
<b>TOTAL</b>		<b>179.63</b>	

2401

**NEDBANK** CORPORATE 193-305  
 Date 07-06-2007  
 Datum 07-06-2007  
 Pay Betal DR M L Roberts  
 Amount Bedrag Two Thousand Two Hundred R  
 Bank Limited/Bepk Reg No. 1986/004794/06  
 06 JUL 2007  
 10378849  
 62-58-05  
 R 2256-18  
 001193 193305

**ABSA** ABSA Bank Limited/Bepk, Reg No 1986/004794/06  
 Member of the Barclays Group  
 DEPOSIT SLIP/DEPOSITSTROKIE  
 Credit Krediteer Investec  
 Date Datum  
 Paid in by Inbetaal deur GAVIN  
 Signature Handtekening  
 T03 / 8849  
 62-58-05  
 Notes/Note  
 Coins/Munte  
 MO/PW and/en PO  
 Subtotal/Subtotaal  
 Branch name/Clearing code Taknaam/Verrek-kode 550/05  
 Total Totaal R 2256.18  
 Acc.no/Rek-no 01043960306  
 Dep reference Dep-verwysing HOSK/06R08/05  
 INVSTC Acc no 1001119777



In the Magistrate's Court for the District of **RANDBURG**  
Held at **RANDBURG**

Case No. 49516/07

In the matter between:

**DR M ROBERTS (ANAESTHESIOLOGIST)**

Plaintiff

and

**MR MICHAEL DOUGLAS HOSKING**

Defendant

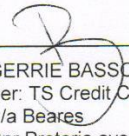
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**NOTICE OF WITHDRAWAL**

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BE PLEASED TO TAKE NOTICE that the Plaintiff hereby withdraws its action in the abovementioned matter, as the defendant has settled the claim.

DATED at RANDBURG on this 25 July 2008.

  
\_\_\_\_\_  
GERRIE BASSON ATTORNEYS  
Per: TS Credit Consultants (Pty) Ltd  
P/a Beares  
Cnr Pretoria ave & Hill str  
Randburg  
(REF: 000ROB100)

TO:

THE CLERK OF THE COURT  
Magistrate's Court  
RANDBURG

AND TO:

MR M D HOSKING  
6 Cheetah Springs  
Cheetah Crescent  
Rivonia

RECEIVED COPY HEREOF THIS ..... DAY  
OF JULY 2008

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P553 Vermeulen Street  
Arcadia, Pretoria

PO Box 205  
Pretoria, 0001

Tel: +27 (12) 338 9470  
Fax: +27 (12) 338 9470  
Email: [webmaster@hpcsa.co.za](mailto:webmaster@hpcsa.co.za)  
Website: [www.hpcsa.co.za](http://www.hpcsa.co.za)

Mr M D Hosking  
P O Box 783294  
SANDTON  
2146

DEPARTMENT:  
GENERAL MANAGER:

LEGAL SERVICES  
ADV T BOIKANYO

My Ref: MP 0484482/1236/2008  
(Med-3) Ms T Mzingi/th

Tel: (012) 338 9470  
[thulim@hpcsa.co.za](mailto:thulim@hpcsa.co.za)

21 July 2009

Dear Sir

**COMPLAINT: DR M L ROBERTS**

The above matter refers and we wish to inform you that the matter was considered by the Third Medical Committee of Preliminary Inquiry of the Medical and Dental Professions Board at its recent meeting held on 02 July 2009.

The Committee resolved to:

- i) Consult with Dr Roberts in terms of section 41(2) of the Health Professions Act. This section reads as follows:

"The Council may, whenever it is in doubt as to whether an inquiry should be held in connection with the complaint, charge or allegation in question, consult with or seek information from any person, including the person against whom the complaint, charge or allegation has been lodged."

- ii) That further consideration of the matter be deferred until the next meeting.

The accused has been advised accordingly.

Yours faithfully

  
MS T MZINGI  
LEGAL SERVICES OFFICER

Protecting the public and guiding the professions

President: Prof Nicky Padayachee, Vice President: Prof Letticia Moja, Registrar/CEO: Adv Boyce Mkhize















