

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE HIGH COURT, CAPE TOWN)**

Case No:

In the matter between:

**COMBUSTION TECHNOLOGY (PTY) LTD**

Applicant

and

**FREEZE BURN CC t/a STEAM HOUSE AFRICA**  
(CK2: 2002/095587/23)

First Respondent

**GLEN FRANCIS FOURIE**

Second Respondent

**LIONEL WINSTON NAUDE**

Third Respondent

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**NOTICE OF MOTION**

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Take notice that Combustion Technology (Pty) Limited (hereinafter called the Applicant) intends to make application to this Court for an order:

- (a) interdicting the Respondents from using the Applicant's designs, software, intellectual property and specifications for the purposes of competing with Applicant.

- (b) interdicting the Respondents from selling or disposing, in the course of trade or otherwise, all items still in their possession made by means of the said processes.
- (c) interdicting Respondents from making false representations to others concerning the Applicant.
- (d) restraining Respondents from carrying on directly or indirectly any business which renders the services or manufactures or sells the goods sold by or manufactured by the Applicant throughout the Republic of South Africa for 24 months from the date of this order.
- (e) that Respondents desist from utilizing any of Applicant's confidential information and return all drawings, plans, programs and tools in their possession to the Applicant forthwith.
- (f) that Respondents, jointly and severally, pay the costs of this application.

And that the accompanying affidavit of Grant Eric Renecke will be used in support thereof.

Take notice further that the Applicant has appointed Abrahams and Gross Incorporated, First Floor, 56 Short Market Street, Cape Town at which it will accept notice and service of all process in these proceedings.

Take notice further that if you intend opposing this application you are required to

- (a) notify Applicant's attorney in writing on or before the.....;
- (b) and within 15 days after you have so given notice of your intention to oppose the application, to file your answering affidavits, if any;

And further that you are required to appoint in such notification an address referred to in rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings.

If no such notice of intention to oppose be given, the application will be made on the ..... day of .....2010 at 10H00.

Dated at Cape Town this day of ..... July 2010

**ABRAHAMS & GROSS INC**  
Applicants Attorneys

First Floor,  
56 ShortMarket Street  
CAPE TOWN

TO: **THE REGISTRAR OF THE HIGH COURT**  
CAPE TOWN

AND TO: **FREEZE BURN CC t/a STEAM HOUSE AFRICA**  
First Respondent

Unit 40  
De Waal Terrace  
De Waal Drive  
Diep River  
WESTERN CAPE

AND TO: **GLEN FRANCIS FOURIE**  
Second Respondent

9 Ombersley Road  
Lakeside  
WESTERN CAPE

AND TO: **LIONEL WINSTON NAUDE**  
Third Respondent

35 Mountain View Avenue  
Aldara Park  
RANDBURG