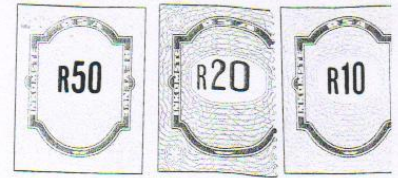


IN THE HIGH COURT OF SOUTH AFRICA
(NORTH GAUTENG HIGH COURT, PRETORIA)



CASE NO:

59355/09

In the matter between:

PROFESSOR F.A. WEBER

Applicant

and

MR M.D. HOSKING

Respondent



NOTICE OF MOTION

TAKE NOTICE that the applicant intends making application on 20 October 2009 at 10h00 or as soon thereafter as counsel for the applicant can be heard, for an order in the following terms:

1. Dispensing with the usual forms and service and directing that the matter be heard as one of urgency in terms of uniform rule 6(12).
2. Interdicting and restraining the respondent, or any person for and on behalf of the respondent, from contacting and/or communicating with the applicant whether by way of mail, electronic mail, telephone, telefacsimile, in person or by any other form of communication.
3. Interdicting and restraining the respondent or any person for and on behalf of the respondent, from approaching, making physical contact with,

assaulting and/or in any way harming the applicant.

4. Interdicting and restraining the respondent from instituting and prosecuting all and any claims against the respondent in terms of the Small Claims Courts Act, 1984 arising from the surgical procedure performed on the respondent by the applicant at the Sandton Medi-Clinic on 6 February 2007.
5. Ordering the respondent to make payment of this application on the attorney and client scale.
6. Granting to the applicant such further and/or alternative relief as the court may deem meet.

TAKE NOTICE FURTHER that the applicant has appointed MacRobert Incorporated, MacRobert Building, corner Charles and Duncan Streets, Brooklyn Pretoria (reference L. Havenga / 849248) at which address he shall accept service of all notices and processes in the above application.

TAKE NOTICE FURTHER that if you intend opposing this application, you are required to give notice in writing of your intention to so oppose by 16h00 on 30 September 2009 and to file your answering affidavit, if any, by 16h00 on 9 October 2009. In any notice of intention to oppose you are to appoint an address referred to in Rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings.

TAKE NOTICE FURTHER that should you not give notice of your intention to oppose, the application will be made on 20 October 2009 at 10h00.

TAKE NOTICE FURTHER that the founding affidavit of Professor F.A. Weber together with the annexures thereto will be used in support of the application.

DATED AT PRETORIA ON THE 25th DAY OF SEPTEMBER 2009.



L. HAVENGA
MACROBERT INC.
DEFENDANT'S ATTORNEYS
MACROBERT BUILDING
CNR CHARLES & DUNCAN STREETS
BROOKLYN
PRETORIA
TEL: 012 425 3400
REF: 849248

TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT
PRETORIA

AND TO: MICHAEL DOUGLAS HOSKING
RESPONDENT
6 CHEETAH SPRINGS
CHEETAH CRESCENT
RIVONIA

SERVICE BY DEPUTY SHERIFF
SERVICE BY ELECTRONIC MAIL