

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF **THE CITY OF CAPE TOWN**
SUB DISTRICT OF **KUILSRIVIER**
HELD AT **KUILSRIVIER**

Case No. **7536/2023**

In the matter between:

KLEINBRON ESTATE HOMEOWNERS' ASSOCIATION

Plaintiff

and

RUBEN THEODOR FITCHAT
ID NO. 841228 5132 089

First Defendant

SONET FITCHAT
ID NO. 820625 0125 080

Second Defendant

NOTICE IN TERMS OF RULE 23(1), (6), (9) & (11)

KINDLY TAKE NOTICE that in terms of Rule 23(1) the Defendants are hereby required within twenty (20) days after receiving this Notice, to deliver a schedule specifying all documents and tape, electronic, digital or other forms of recordings in his possession or under its control, or which have at any time been in the Defendants' possession or control, relating to any matter in question in the action which the Defendants intends to use in the trial.

KINDLY TAKE FURTHER NOTICE that in terms of Rule 23(6) the Defendants are hereby required to produce for inspection within five (5) days of receipt hereof during normal business hours at a time and place to be mutually agreed upon, any document or tape, electronic, digital or other form of recording specified in the Defendants' schedule of documents and recordings.

KINDLY TAKE FURTHER NOTICE that in terms of Rule 23(9) the Defendants are called upon to specify in writing not less than 15 (fifteen) days before the date of trial of said action, particulars of dates and parties of or to any documents or tape, electronic, digital or other form of recordings intended to be used at the trial of the said action on the Defendants' behalf.

KINDLY TAKE FURTHER NOTICE that in terms of Rule 23(11) the Defendants are hereby required to produce at the hearing of this action the original of such document or tape, electronic, digital or other form of recording, not being a privileged document or tape, electronic, digital or other form of recording in the Defendants' possession.

DATED at **BELLVILLE** this *14* day of **DECEMBER 2023**.

DIAAN NEL & GAGIANO INC

Per: **DJ NEL**
Attorney for the Plaintiff
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Carl Cronje Drive, Tyger Waterfront
Docex: 22, Tyger Valley
Tel: 021 001 7607
Email: diaan@dngattorneys.co.za
Ref: **DJN/DN0670**

TO: **THE CLERK OF THE COURT**
Magistrates Court
KUILS RIVER

By hand

AND
TO: **RUBEN THEORDOR FITCHAT**
91 Frangipani Street
Kleinbron Estate
BRACKENFELL
7560
Tel: 083 925 1545
Email: theo@cluedapp.co.za

By email

AND
TO: **SONET FITCHAT**
91 Frangipani Street
Kleinbron Estate
BRACKENFELL
7560
Tel: 060 340 1315
Email: sonet@cluedapp.co.za

By email