



Centre for Environmental Rights

Advancing Environmental Rights in South Africa

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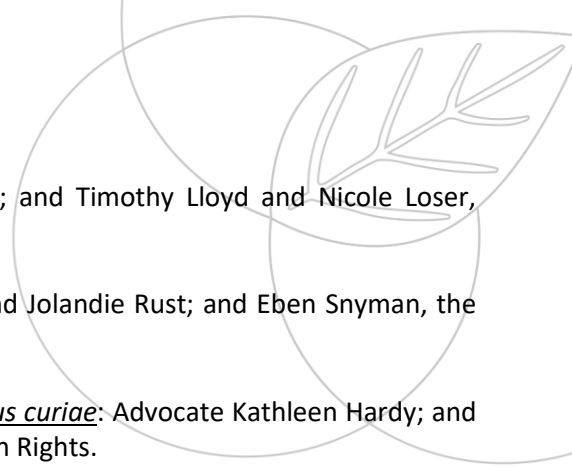
5 November 2020

Dear Ms Nieuwoudt

RE: Case Management Meeting Minutes - The Trustees for the Time Being of GroundWork Trust and Another v The Minister of Environmental Affairs & Four Others (NGHC case no. 39724/19)

1. We refer to the above matter under case number 39724/19 and the virtual case management meeting conducted by Acting Deputy Judge President Potterill on 3 November 2020. Kindly note that this matter has been uploaded to the CaseLines system.
2. As requested by ADJP Potterill at the conclusion of the case management meeting, this letter provides essential minutes of the meeting, including the undertakings agreed between the parties and the directions issued by ADJP Potterill. It also serves as a record of the legal representatives present during the virtual meeting.
3. The legal representatives present during the virtual case management meeting, on behalf of the respective parties, were as follows:

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- 3.1 for the Applicants: Chris McConnachie and Cingashe Tabata; and Timothy Lloyd and Nicole Loser, attorneys from the Centre for Environmental Rights;
 - 3.2 for the First to Fourth Respondents: Marius Oosthuizen SC and Jolandie Rust; and Eben Snyman, the State Attorney;
 - 3.3 for Professor David Boyd – seeking to join the matter as *amicus curiae*: Advocate Kathleen Hardy; and Robin Lenahan, an attorney-designate from Lawyers for Human Rights.
4. The parties confirm that the following transpired during the course of the case management meeting:
- 4.1 On the basis that there is no opposition to Professor David Boyd’s *amicus curie* application, ADJP Potterill directed Professor Boyd’s legal representatives to submit a draft admission order to be granted in chambers.
 - 4.2 The parties agreed, and ADJP Potterill directed, as follows:
 - 4.2.1 the Respondents are to file their answering affidavit by **29 January 2021**;
 - 4.2.2 the parties are to ensure that all papers and heads of argument have been filed and are uploaded to Caselines by no later than **16 April 2021** (being 4 weeks before the hearing date); and
 - 4.2.3 the hearing of the main application is enrolled as a special allocation for **17-19 May 2021** (3 days).
 - 4.3 ADJP Potterill indicated that given the above outcomes of this case management meeting, it is not necessary for this matter to be allocated to a judge for further case management.
 - 4.4 It was further agreed that, following the case management meeting, the respective attorneys would discuss and reach agreement on a timetable for the filing of further affidavits, heads of argument and remaining court papers in preparation for the hearing.
5. After the case management meeting, further discussions took place between the parties and further filing dates were agreed. In light of the above, the timetable agreed to by all parties is as follows:

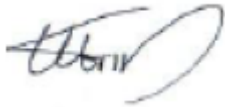
DATE	EVENT
29 January 2021	Respondents to file answering affidavit
26 February 2021	Applicants to file replying affidavit Amicus curiae to file replying affidavit (if necessary)
5 March 2021	Applicants to upload fully indexed and paginated papers to Caselines
19 March 2021	Applicants to file heads of argument, chronology and practice note
26 March 2021	Amicus curiae to file heads of argument, chronology (if necessary) and practice note

14 April 2021	Respondents to file heads of argument, chronology (if necessary) and practice note
16 April 2021	Parties to confirm that all papers and heads of argument are filed and uploaded to Caselines
23 April 2021	Parties to file joint practice note
17 – 19 May 2021	Hearing

6. We trust that the above summary reflects the key outcomes of the case management meeting for this matter. However, if there are any additional directions or aspects that ADJP Potterill considers necessary to place on record, we will duly supplement/amend this letter.
7. We respectfully request that you issue a directive reflecting the abovementioned dates, per ADJP Potterill's directions.

Yours faithfully

CENTRE FOR ENVIRONMENTAL RIGHTS



per: P.P

Timothy Lloyd

Attorney

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