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Our ref : Mr. Claassen/fb/CM0141

Date : 15 August 2022

"URGENT"

BY EMAIL

SOUTH AFRICAN FEDERATION OF TRADE UNIONS ("SAFTU")

ATT: MR ZWELINZIMA VAVI

Dear Sirs,

IN RE: NUMSA / SAFTU: REQUEST FOR MEETING WITH NOBs

1. We refer to the above matter and confirm that we act herein on behalf of the National Union of Metalworkers of South Africa ("Numsa").
2. Numsa provided us with a copy of your letter dated 1 July 2022, 4 August 2022, as well as their reply thereto dated 11 August 2022.
3. We are not going to respond to each and every allegation contained in your letters, and we reserve our right to do so at the appropriate time and in the appropriate forum.

Partners: Stephanus Gabriël Serfontein Proc (SA) • Marthinus Jakobus Viljoen B Proc • Stephanus Petrus Swart Biur LLB • Jan Lodewyk Serfontein BProc
Professional Assistant: Annette Johanna Louw LLB • Carel Nicolaas Venter LLB
Associates: Conrad Swart Bcom (Law) LLB Hdip (Insolvency)

4. The purpose of this letter is, however, to impress on you, as we hereby do, to amend the points on agenda for the SAFTU, special NEC meeting to be held on 16 August 2022.
5. In the current agenda, as per point 2 of the agenda, goes at length to discuss the current discussions taken by Numsa's top structures i.e. the NEC and CC, regarding various acts of misconduct by its officials and members. The matter is currently subject to various litigation in the Labour and Labour Appeal Courts, and is therefore *sub judice* as announced in Numsa's letter dated 11 August 2022 (par 4 thereof).
6. Furthermore, Numsa has petitioned the Labour Appeal Court, under case number JA 84/22, for leave to appeal to the LAC against the whole judgment of his Lordship Justice Moshoana made on 23 July 2022.
7. Furthermore, the current contempt of court application, under case number J885/22, is currently before the Labour Court to be heard on Friday, 19 August 2022.
8. Neither Numsa, nor SAFTU, can in any way discuss the content of matters which are currently before the Courts, since this would be against all legal principles and also disingenuous as not to allow the legal process to conclude before discussion and decisions are made relating to your requests.
9. Furthermore, SAFTU is not a party to any of these proceedings, and should you wish, you may apply to join the proceedings and have your say in Court.
10. Lastly, the respective parties' legal representatives, made certain undertakings of behalf of their clients (including Ms Ruth Ntlokotse), at the previous hearing, more specifically, not

to discuss the current issues with the media but to let the matter run its normal course in Court. We intend to keep to that undertaking and trust that your offices will respect the legal duties bestowed upon the parties and their legal representatives.

11. In light of the aforesaid, we therefore request that you do not proceed to discuss any of the issues which are currently before the Courts, in your SAFTU Special NEC meeting to be held on 16 August 2022, failing which, our client will have no alternative than to not attend it.
12. We await your urgent reply by 10h00, TUESDAY, 16 AUGUST 2022.

Yours faithfully

SERFONTEIN, VILJOEN & SWART

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[ELECTRONICALLY SIGNED]

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