

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG**

CASE NO.:

In the matter between:

Applicant

and

Respondent

APPLICATION IN TERMS OF RULES 30A, READ WITH RULE 41A(3)(b)
--

BE PLEASED TO TAKE NOTICE THAT application will be made to the above Honourable Court on at or as soon thereafter as Counsel for the Applicant may be heard, for an order in the following terms:

1. The respondent shall immediately agree to referral of this action for mediation as envisaged under Rule 41A;
2. The respondent shall within five court days of the granting of this order, facilitate the filing of a joint minute between the parties in terms of Rule 41A(4)(a) noting the referral of this action for mediation;
3. The respondent shall within ten court days of the granting of this order, enter into and sign an agreement to mediate with the applicant in terms of Rule 41A(4)(b);

4. The mediation so scheduled shall be convened before an accredited mediator agreed upon between the parties on a date no later than thirty calendar days after the granting of this order;
5. The defendant shall pay the costs of this application

ALTERNATIVELY TO PRAYERS 1 - 5

6. The respondent is ordered to immediately consider referral of this action for mediation;
7. In the event that the respondent declines referral of the action for mediation, the defendant is ordered to state in writing, clearly and concisely and within five court days of the date hereof, the reasons for its belief that the action is not capable of being mediated;
8. In the event that the defendant agrees to referral of this action for mediation the defendant shall:
 - 8.1 Within five court days of the granting of this order, facilitate the filing of a joint minute between the parties in terms of Rule 41A(4)(a) noting referral of this action for mediation;
 - 8.2 Within ten court days of the granting of this order, enter into and sign an agreement to mediate with the applicant in terms of Rule 41A(4)(b);

8.3 The mediation so scheduled shall be convened before an accredited mediator agreed upon between the parties on a date no later than thirty calendar days after the granting of this order.

9. The defendant shall pay the costs of the application.

DATED AT _____ ON THIS THE _____ DAY OF _____ 2020.

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Attorneys for Applicant

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Service by Email:

Email:

Physical Address

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Tel:

Cell:

Fax :

Ref:

TO: THE REGISTRAR OF THE
ABOVE HONOURABLE COURT
JOHANNESBURG

AND TO :
Attorney for Respondent

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Tel :

Fax :

Email :

Ref :

Received copy hereof on this the
..... day of **2020**

For: Respondent's Attorney