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Our Ref: R/L/0636 Your ref: MMM/LM/MR LEDWABA

12 October 2011

Mpoyana Ledwaba Inc
PO Box 12774
HATFIELD
0025

Email: mpoyana@ledwaba.co.za /
Fax: (012) 460 4668

Dear Sir

TUKS ALUMNI ANNUAL GENERAL MEETING: DEMAND REGARDING CANCELLATION OF MEETING

1.

The above matter, as well as your letter dated 10 October 2011 and received during the afternoon of 11 October 2011, refer.

2.

Kindly note that we act in this matter on behalf of the University of Pretoria ('our client').

3.

We do not intend to answer herein to each and every allegation and statement contained in your letter under reference. Our disinclination to do so at this stage should not in any way be construed as an admission or concession as to the veracity of any of the aforementioned allegations or statements. Our client's rights remain reserved *in toto* to answer comprehensively to any of these allegations or statements in due course, should same prove necessary.

4.

In your letter you refer to a meeting during October 2011 which was attended by University management, the Tuks Alumni Board and black alumni. Our client wishes to advise that it is not aware of an organisation known as the Black Tuks Alumni.

5.

You are correct in stating that discussions relating to the redrafting of the Tuks Alumni Constitution have not yet reached finality. This is in the main attributable to the fact that there are certain issues which the alumni amongst themselves have as yet been unable to agree on. However, our client is of the view that any alumni association should at all times prioritise, and act in the best interest of, a university, failing which the alumni association surely becomes superfluous with no reason for existence. The redrafting of the Tuks Alumni Constitution is a comprehensive process which *inter alia* comprises deliberations on whether the Tuks Alumni should be constituted as a separate legal persona, who should qualify as members, and so forth. To reduce this process to a single issue, to wit the supposed 'undemocratic' and 'non-representative nature' of the Tuks Alumni Board, as you do in your letter of 10 October, is inaccurate.

6.

We have taken note of your stated intent to approach the High Court on an urgent basis, in the event that our client fails to accede to your demand for an undertaking that the Tuks Alumni Annual General Meeting, scheduled for 13 October 2011, will not proceed. Our client shall convey your demand to the Tuks Alumni Board for their consideration. Our client at this stage denies that there are any substantive and compelling reasons for you to approach the court in order to obtain relief. In any event, the aforesaid meeting was scheduled as far back as 7 September 2011 and as such your client's belated efforts to derail the meeting will surely be dismissed by the court, as any urgency in this regard is due to your client delaying its current actions until the eleventh hour, thereby causing its own urgency.

7.

We moreover wish to bring to your attention that your client's Mr L Thekisho, during a meeting with our client's Registrar, Prof N J Grové, indicated that the possibility exists that your client's members and/or supporters may disrupt the aforesaid meeting, and that such disruption may include violence of some form or another. Our client contends that, should such disruptions eventuate, this would clearly not be conducive to the amicable and expeditious settlement of such differences as there may be among the alumni (which resolution will obviously facilitate the finalisation of the new Tuks Alumni Constitution). Obviously our client views such threats in a very serious light and accordingly has instructed us to obtain from you, on behalf of your client, an undertaking that the threats of disruptions, to the extent that your client and its members may be involved, will not be carried out.

8.

Our client is saddened by the fact that threats of this nature have been made, as it is not becoming of alumni of that stature. It is manifest that public violence amounts to criminal conduct and that it will be visited by the appropriate criminal sanctions. We take it that your client and its members, some of whom occupy positions of authority, will not resort to actions that will be extremely detrimental to the University and the alumni as a group.

9.

Our client wishes to advise you that, should our client be impelled to cancel the Tuks Alumni Annual General Meeting on the grounds of security risks occasioned by the aforementioned threats, it would be very difficult for the University to henceforth negotiate in good faith with your client and its members.

10.

Kindly note that our client, in the event that you fail to provide the undertaking referred to in paragraph 7 above, will have no alternative but to give due consideration to availing itself of the appropriate remedies, including legal recourse on an urgent basis.

11.

We trust you find the above in order and request that you revert to us via return post on an urgent basis.

Yours sincerely

CLS CONSULTING SERVICES (PTY) LTD

Ruaan Pelser

(Electronically transmitted and therefore unsigned)