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ATTORNEYS

28 March 2011

Mr J.A. Ridl
Ridl and Co
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Dear Sir

RE: ANIMAL INTEREST ALLIANCE / EZEMVELO KWAZULU-NATAL :

We refer to previous correspondence, including your most recent letter addressed to the Premier (KwaZulu-Natal), in which you have, repeatedly, made unsubstantiated allegations against officials of Ezemvelo and, even, threatened to hold them personally liable for **the wasted costs of the various abortive processes.**

Our client views these allegations in a serious light.

Because of this Ezemvelo has now sought a second opinion from Senior Counsel (Marnewick SC) who is not involved in the main proceedings.

Marnewick SC has advised that, in his opinion:

- (a) you (and your clients) appear to have confused the functions and duties of the Board with the functions and duties of the officials/employees of the Board;

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and the validity of the appointments of its members, even if it were to be found to be justified, does not have the effect in law that every act and every performance of his or her daily duties by an employee of the Board across the Province is struck with invalidity;

- (c) the employees of the Board are not only entitled but obliged to continue to perform their ordinary duties and functions (notwithstanding your clients' application);
- (d) your clients' threat to hold the employees of the Board personally liable for the costs of the application is without factual or legal substance and appears to have been made **in terrorem**;
- (e) the intemperate, emotional and unjustifiable attack and threats directed against the employees of the Board by the trustees represented by you may in due course justify an order that the trustees should pay the Respondents' costs **de bonis propriis**, should it be found that the underlying Trust does not have the funds to cover such costs as may be awarded by the Court.

In these circumstances we respectfully invite you to reconsider your actions.

We also refer to publications which continuously appear on your clients' website. On 22 February 2011, your clients' facebook site contained matter accusing Dr Jean Harris (and others) of acting in contravention of legislation, of committing crimes, of wasting funds and of behaving in an arrogant and ignorant fashion. These allegations made concerning senior officials with a wide reputation

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in nature conservation circles, on a widely published website are clearly defamatory and made **animus iniuriandi**. As a result Ezemvelo is considering instituting action against your clients for damages on behalf of its officials mentioned.

In the meantime we require an undertaking from your client that it will immediately desist from publishing or facilitating publication of defamatory matter concerning the foregoing or any other persons associated with Ezemvelo KwaZulu-Natal.

In closing we respectfully suggest that the time has arrived for you and your clients to refrain from issuing a constant barrage of threatening and intimidating correspondence.

Yours faithfully



KEVIN PRETORIUS

KEVIN PRETORIUS & ASSOCIATES