



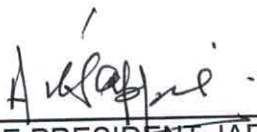
IN THE HIGH COURT OF SOUTH AFRICA, KWAZULU-NATAL DIVISION

CIRCULAR

TO: THE REGISTRARS

Please note that the files for Judicial Case Management are only to be allocated by the Registrar if there has been full compliance with paragraphs 1.1. and 1.1.1 of the Pre-trial readiness questionnaire.

PIETERMARITZBURG
THUS DATED AND SIGNED AT ON THIS 4 DAY OF AUGUST 2020.



JUDGE PRESIDENT JAPPIE

1. Narrowing of Issues

1.1. Have the parties held a pre-trial conference and fully complied with the provisions of Rule 37, and addressed all issues in R37(6)?

Yes / No.

1.1.1. Have the parties addressed the matters referred to in Rule 37A (8),(9),and (10) and have they delivered a **detailed** statement of issues referred to in sub-Rule 37A (9)(a)¹.

Yes / No.

1.1.2. Have all the parties signed the minutes of the pre-trial conference.

Yes / No.

If no, what are the reasons for the aforesaid failure.

2. Discovery, Inspection and Production of Documents

2.1.1. Have all issues relating to discovery, inspections and the production of documents been dealt with?

Yes / No.

2.1.1.1. If no, what are the outstanding issues in relation thereto?

2.1.1.2. Is further discovery anticipated by the parties?

Yes / No.

2.1.1.3. Is real evidence (such as photographs, video recordings etc) to be presented at the trial?

¹Non-compliance will result in the matter not being certified trial ready

Yes / No.

2.1.1.4. If real evidence is to be presented, is the admissibility of such evidence agreed?

Yes / No.

3. Inspections, Examinations and Expert Testimony

3.1. Do the parties intend to call any expert witnesses?

Yes/No. If yes, how many?

Plaintiff: _____

Defendant: _____

3.2. Have the parties complied with the provisions of Uniform Rule 36?

Yes / No.

3.2.1. Are there any pending examinations or inspections?

Yes / No.

If yes, provide dates of when such examinations and inspections will be conducted:-

If yes, when is it anticipated such reports emanating from the examinations will be served and filed?

3.2.2. Are there any outstanding expert summaries?

Yes / No. If yes, how many?

Plaintiff: _____

Defendant: _____

If yes, when is it anticipated such summaries will be served and filed?

Plaintiff: _____

Defendant: _____

3.2.3. Have the opposing experts in the same field met with a view to formulating joint minutes?

Yes / No.

If no, when is it anticipated such experts will meet.

3.2.4. Have all joint minutes been filed?

Yes / No.

If no, when is it anticipated such joint minutes will be filed.

3.2.5. Have the parties discussed the contents of the expert reports, summaries and the joint minutes at the pre-trial conference?

Yes / No.

4. TRIAL PREPARATION

4.1. Have all the required amendments to the pleadings taken place?

Yes / No.

If no, when is such amendment anticipated.

4.2. Are there any points *in limine* or interlocutory applications in terms of uniform rule 35 and/or rule 30A which are anticipated or which have arisen?

Yes / No.

If yes, provide details.

4.3. Has liability and quantum been separated in terms of Uniform Rule 33(4)?

Yes / No.

If yes, attach the relevant order of court to this questionnaire.

4.4. Have the parties discussed all outstanding issues regarding the trial readiness of the matter?

Yes / No.

If no, provide details.

4.5. Have the parties prepared proposed time periods to deal with the outstanding issues and filed same together with the Pre-trial Minutes?

4.6. Have the parties identified all the lay witnesses they intend to call to testify at trial.
Yes / No.

If no, provide details and when it is anticipated this will be done.

4.7. Are interpreting services required at the trial?

Yes / No.

If yes, have the parties identified an appropriately qualified interpreter?

5. SETTLEMENT / ARBITRATION

5.1. Do the parties anticipate the matter being referred for arbitration in terms of Uniform Rule 41A(3)(a)?

Yes / No.

5.1.1. If yes, have the parties complied with Uniform Rule 41A(4)?

Yes / No.

5.1.2. Has the matter previously been referred to arbitration?

Yes / No.

If yes, provide details

5.1.3. If yes, have the parties filed a joint minute in terms of Uniform Rule 41A(8)(b)?

Yes / No.

If no, when will the parties file same?

5.2. Have appropriate efforts been made to settle the matter?

Yes / No.

If no, provide details.

6. DURATION OF TRIAL

6.1. For how many days is the trial expected to run? (A realistic assessment of the duration of the trial is required regard being had to the number of witnesses and the nature of their testimony)

6.2. Do the parties anticipate that argument will proceed immediately after the conclusion of evidence?

Yes / No.

6.3. Does the assessment as to the number of days required for trial take argument into account?

Yes / No.

7. ADDITIONAL ISSUES

7.1. Are there other relevant issues to be noted?

Yes / No.

If so, provide details

8. CERTIFICATION

8.1. Has a certificate of compliance been filed by the legal representatives?

Yes / No.

If no, provide details.

The following matter is certified ready for trial:

The estimated duration of the trial is _____ days

JUDGE