

**SPECIAL TRIBUNAL**

**[Established in terms of section 2 of Act 74 of 1996]**

CASE NO: GP/04/2020

In the matter between:

**THE SPECIAL INVESTIGATING UNIT** First Applicant

**THE MINISTER OF WATER AND SANITATION** Second Applicant

and

**SYSTEMS APPLICATIONS PRODUCTS  
(SOUTH AFRICA) (PTY) LTD** First Respondent

**SIFISO MKHIZE** Second Respondent

**ZANDILE MAKHATHINI** Third Respondent

**NDILEKA MOHAPI** Fourth Respondent

**NBS INFOSYS (PTY) LTD** Fifth Respondent

**MATSEI TECHNOLOGIES AND CONSULTING  
(PTY) LTD** Sixth Respondent

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**ATTORNEY'S AFFIDAVIT  
IN RESPECT OF THE SETTLEMENT AGREEMENT**

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I, the undersigned

**STELLA TAMENJI ZONDI**

2FM



do hereby make oath and say that:

**DEPONENT**

1. I am an adult female attorney, employed by the First Applicant as Senior Manager: Civil Litigation and practising under secondment at the office of the State Attorney, Pretoria at 255 Francis Baard Street, 29<sup>th</sup> Floor, Pretoria, South Africa.
  
2. I am duly authorised to depose to this affidavit and I am the applicants attorney of record.
  
3. The contents of this affidavit are within my personal knowledge unless indicated to the contrary and are all to the best of my belief true and correct.

**SETTLEMENT AGREEMENT**

4. I am the attorney responsible for this case and I have acquainted myself with the founding papers of this application. I have further read the affidavit by Mr. Jason Eric Schmidt and I fully agree with its contents.

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5. At all material times I was party to negotiations and settlement reached by the parties. Accordingly, I have applied my mind to the draft order that is pursuant to the agreement reached by the parties.
6. The agreement reached by the parties is legally competent and relates directly to the issues between the parties.
7. The First Respondent has agreed to pay the full outstanding amount of R81 502 073.62 within 5 days to the of the order to Second Applicant.
8. Consequently, this agreement will extinguish the dispute between the parties and the matter will be finalized.
- 9.

### **CONCLUSION**

10. I submit that the agreement reached is in the interest of the public that the unduly paid amount to SAP should be paid back to the Department.
11. Furthermore, there is nothing contentious about the agreement.

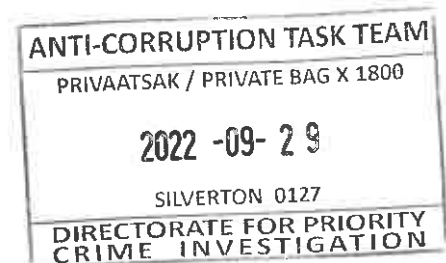


A handwritten signature in black ink, appearing to read 'Stella Tamenzi Zondi', is written over a horizontal line.

**STELLA TAMENJI ZONDI**

I certify that the deponent has acknowledged that she knows and understands the contents of this affidavit which was signed and sworn to before me at **PRETORIA** on this 29 day of **September 2022**, and that the Regulations contained in Government Notice R1648 of 19 August 1977, as amended, have been complied with.

14/09/2022



**COMMISSIONER OF OATHS**

FULL NAMES: **ZENEKE Florion Njawa**  
STREET ADDRESS: **74 Water-meyer Meyerspark Silverton.**  
CAPACITY: **captain**  
AREA: **Silverton.**

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