

competitiontribunal
south africa

fax form

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|-------------|--|--------------|-------------------------|
| to | RF Kruse Roestoff Venter Kruse | fax | 012 460 9140 |
| | Legal Services Competition Commission | | 44283 |
| ref | 103/CR/Dec06 | date | 13 August 2008 |
| from | Tebogo Mputle | pages | 3 (including this page) |
| re | Order - discovery | | |

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Attached please find the order in the above matter.

Regards

Tebogo Mputle

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: 103/CR/Dec06

In the matter between:

Competition Commission

Applicant

and

Clover Industries Ltd
Clover SA (Pty) Ltd
Parmalat (Pty) Ltd
Ladismith Cheese (Pty) Ltd
Woodlands Dairy (Pty) Ltd
Lancewood (Pty) Ltd
Nestle SA (Pty) Ltd
Milkwood Dairy (Pty) Ltd

First Respondent
Second Respondent
Third Respondent
Fourth Respondent
Fifth Respondent
Sixth Respondent
Seventh Respondent
Eighth Respondent

Panel : D Lewis (Presiding Member), N Manoim (Tribunal Member) and Y Carrim (Tribunal Member)

Heard on : 13 August 2008

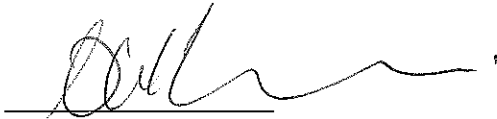
Order Issued : 13 August 2008

ORDER

By agreement between the parties, the Competition Tribunal makes the following an order of the Tribunal –

1. The First and Second Respondents shall provide the documents requested by the Applicant in paragraphs 2,4,7,9 and 12 of Applicant's Request for Further and Better Particulars ("the Request") dated 30 April 2008, to the Applicant, by no later than 22 August 2008.
2. The First and Second Respondents shall provide, within 5 business days hereof, supervised but free and unrestricted access to its records, electronic and otherwise, to the Applicant, at times and on dates agreed upon between the parties, to enable the Applicant to extract from such records all information and/or documentation pertaining to paragraphs 6,10,11 and 13 of the Request.

3. The Applicant's Application to Compel Further and Better Discovery dated 13 June 2008 may be supplemented and renewed pursuant to the outcome of the access provided for in paragraph 2 above.

A handwritten signature in black ink, appearing to be 'D Lewis', written over a horizontal line.

D Lewis
Presiding Member

Concurring: N Manoim and Y Carrim

* * * Communication Result Report (13. Aug. 2008 15:02) * * *

1)
2)

Date/Time: 13. Aug. 2008 14:49

| File No. Mode | Destination | Pg (s) | Result | Page Not Sent |
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| 1054 Memory TX David | 00124609140 44283 | P. 3 | OK OK | |

Reason for error

E. 1) Hang up or line fail

E. 3) No answer

E. 5) Exceeded max. E-mail size

E. 2) Busy

E. 4) No facsimile connection

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| | | | |
|-------------|--|--------------|-------------------------|
| to | RF Kruse Roestoff Venter Kruse | fax | 012 460 9140 |
| | Legal Services Competition Commission | | 44283 |
| ref | 103/CR/Dec08 | date | 13 August 2008 |
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