
NOTICE OF MOTION

KINDLY TAKE NOTICE that the Treatment Action Campaign will make application to this honourable court on Thursday 14 April 2005 at 10h00 or so soon thereafter as counsel may be heard, for an order in the following terms:

- 1 The forms, notice and periods prescribed by the Rules of Court are dispensed with;

- 2 The respondents are interdicted, pending the final determination of an action which the applicant intends instituting against the respondents for a final interdict, for an apology, and for damages, from publishing any statement which alleges that:
 - 2.1 The applicant is a front for pharmaceutical companies or the pharmaceutical industry;

 - 2.2 The applicant is funded by pharmaceutical companies or the pharmaceutical industry;

 - 2.3 The applicant receives funds from pharmaceutical front organisations in return for promoting antiretroviral drugs;

- 2.4 The applicant organises rented crowds for the drug industry;
 - 2.5 The applicant pays people to participate in its demonstrations;
 - 2.6 The applicant encourages people to take medicine which is harmful to them and will kill them;
 - 2.7 The applicant forces the government to spend millions of rand on toxic drugs;
 - 2.8 The applicant forces the government to spread disease and death among the people of South Africa;
 - 2.9 The applicant destabilises democracy in South Africa; or
 - 2.10 In order to promote the interests of pharmaceutical companies, the applicant targets poor communities as markets for the drug industry
- 3 This order will lapse if the applicant does not institute action against the applicants within 45 days of the making of this order.
 - 4 The respondents are ordered to pay the costs of this application
 - 5 Other or alternative relief

TAKE NOTICE FURTHER that the accompanying affidavit of ABDURRAZACK ACHMAT, together with the annexure thereto, will be used in support of this application

TAKE NOTICE FURTHER that the applicant will accept notice and service of papers in these proceedings at the address of its attorneys set out below

IF you intend opposing this application, you are required:

(a) on or before 31 March 2005 to serve and file a notice of your intention to do so, and to set out in that notice an address referred to in rule 10 at which you will accept notice and service in these proceedings

(b) to serve and file your answering affidavits, if any, on or before 4 April 2005

The Applicant will serve and file its replying affidavits, if any, on or before 8 April 2005

KINDLY PLACE THE MATTER ON THE ROLL ACCORDINGLY