

FORM. 1

[Regulation 2]

Information notice to complainant or person who applies for a protection order  
on behalf of a complainant

(Section 2(2) of the Protection from Harassment Act, 2011 (Act No. 17 of 2011))

1. This notice explains —
  - (a) the relief that is available in terms of the Act; and
  - (b) your right to also lodge a criminal complaint against the respondent.
2. You will be required to sign this notice to confirm that there has been compliance with section 2(2) of the Protection from Harassment Act, 2011, and regulation 2 of the Regulations made in terms of that Act, and which obliges me —
  - (a) to hand this notice to you;
  - (b) to read out or cause this notice to be read out to you if you are unable to read this notice;
  - (c) to inquire from you whether you understand the contents of this notice; and
  - (d) to explain any part of the notice which you don't understand.
3. A complainant (that is the person who is being harassed) may on any day and at any time, in the prescribed manner apply for a protection order against harassment at the Magistrate's Court in whose area —
  - (a) the complainant permanently or temporarily resides, carries on business or is employed;
  - (b) the respondent (that is the person who commits an act of harassment) permanently or temporarily resides, carries on business or is employed; or
  - (c) the act of harassment occurred.
4. An application for a protection order against harassment may be made by another person on behalf of the complainant if the person who intends to apply for the protection order has a material interest in the well-being of the complainant or related person. However, such application must be brought with the written consent of the complainant, except in circumstances where the complainant is a person who, in the opinion of the court, is unable to do so.
5. Any child, or person on behalf of a child, may apply to the court for a protection order.
6. The Court will consider the application of the complainant or person and may if the evidence substantiates the fact that —
  - (a) the respondent is engaging or has engaged in harassment;
  - (b) harm is being or may be suffered by the complainant or a related person as a result of that conduct if a protection order is not issued immediately; and
  - (c) the protection to be accorded by the interim protection order is likely not to be achieved if prior notice of the application is given to the respondent,Issue an interim protection order against the respondent.
7. An interim protection order is of force and effect from the time it is issued by the court and the existence thereof has been brought to the attention of the respondent. A copy of the application and evidence noted during the application will be served on the respondent together with the interim protection order and the respondent will be called upon to show cause on the return date specified in the order why the interim protection order should not be made final. The protection afforded by an interim protection order is temporary in nature and will expire on the return date.
8. On the return date the court will hear the matter and may issue a permanent protection order which will be valid for a period of five years or such further period as the

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Acknowledgement of receipt of application for a protection by clerk of the court


(Take note: This acknowledgement of receipt must be handed to the person who lodges the application with the clerk of the court)

Application number: HA 612-2015

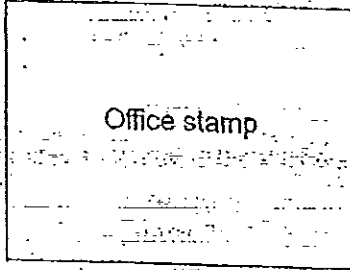
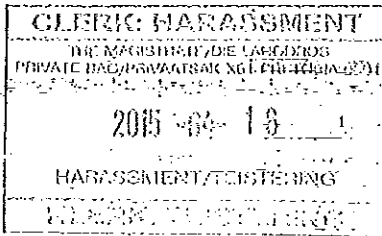
Name of complainant: JOAN MELODY BURGER

I, SMANGELE, the clerk of the Magistrate's Court for the District of PRETORIA, hereby acknowledges receipt of the application for a protection order against harassment.

Name and surname of clerk of the court: SMANGELE NICOSI

Signature of clerk of the court: 

Date: 16/10/15 Time: .....



APPLICATION NUMBER: HA / 618 / 2015

CASE PLACED ON THE ROLL FOR, DATE... 07/05/2015 at TIME: 8.30 a.m.

Traffic dept, Rondalla bld, 174 Visagie street, 2<sup>nd</sup> floor

I, (full names, rank of official serving documents) Konqani Tsheani

FORCE NUMBER: 6925 2941

Stationed at Wierdabrug POLICE STATION,

Hereby certify THAT:

(1) A copy of the INTERIM HARASSMENT ORDER (FORM 3) / NOTICE TO RESPONDENT TO SHOW CAUSE (FORM 4)\*\*\*, together with the attached copy of the APPLICATION FOR HARASSMENT ORDER (FORM 2), was served on

Mr. / Ms. C. Van Der Merwe  
Personally, after the contents were explained to him/her.

OR

(2) A copy of the INTERIM HARASSMENT ORDER (FORM 3) / NOTICE TO RESPONDENT TO SHOW CAUSE (FORM 4)\*\*\*, together with the attached copy of the APPLICATION FOR HARASSMENT ORDER (FORM 2), was served on

Mr. / Ms. \_\_\_\_\_  
a person not less than 16 years of age, at the respondents place of residence/ employment in the temporary absence of the respondent, after the nature and the contents thereof were explained to him/her.

OR

(3) A copy of the INTERIM HARASSMENT ORDER (FORM 3) / NOTICE TO RESPONDENT TO SHOW CAUSE (FORM 4)\*\*\*, together with the attached copy of the APPLICATION FOR THE INTERIM HARASSMENT ORDER (FORM 2) was affixed to the main door of the respondent's residence/place of employment, seeing that the respondent hindered the service by keeping the premises locked.

TIME: 12:16 DAY: 17th MONTH: April  
YEAR: 2015 PLACE: \_\_\_\_\_ OF SERVICE.

[Signature]  
SIGNATURE OF POLICE OFFICIAL

[Signature]  
SIGNED BY RESPONDENT

PLEASE NOTE:

1. \*\*\* PLEASE DELETE WHICHEVER IS INAPPLICABLE
2. IT IS PREFERABLE BUT NOT STRICTLY NECESSARY THAT THE RESPONDENT SIGNS THIS PROOF OF SERVICE.
3. PLEASE INDICATE CLEARLY IN WHICH OF THE THREE MANNERS THE DOCUMENT WAS SERVED ON THE RESPONDENT

SOUTH AFRICAN POLICE SERVICE  
GEMEENSKAPDIENSBENTRUM  
2015-04-17  
WIERDABRUG  
COMMUNITY SERVICE CENTRE  
SOUTH AFRICAN POLICE SERVICE



REPUBLIC OF SOUTH AFRICA

FORM 3  
[Regulation 4]

INTERIM PROTECTION ORDER

SECTION 3(2) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

(\*Delete whichever is not applicable)

Take note: In terms of section 10(4) of the Protection from Harassment Act, 2011, the physical, home and work address of the complainant or related person must be omitted from the protection order (including any reference to such an address in documents annexed to the interim protection order), unless the nature of the terms of the order necessitates the inclusion of the address.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF ..... PRETORIA .....

HELD AT 174 VISAGIE STREET, PRETORIA ..... APPLICATION NO. HA 618 /15 .....

In the matter between:

JOAN MELODY BURGER ..... (Complainant)

AND

CORNELIA VAN DER MERWE ..... (Respondent)

1. PARTICULARS OF RESPONDENT

Name and surname: CORNELIA VAN DER MERWE .....

Address: 7 DOMICILE, .....

14 DIANES PLACE, .....

ELDO GLEN - CENTURION, .....

Contact number (telephone number/cellular phone number/facsimile number/e-mail address (whichever is available)): .....

2. PARTICULARS OF APPLICATION

The complainant applied for a protection order against the respondent in terms of the Protection from Harassment Act, 2011 (Act No. 17 of 2011). This court, after considering the application, issued an interim protection order against the respondent.

3. PARTICULARS OF INTERIM PROTECTION ORDER

In terms of the interim protection order:

3.1 The respondent is prohibited by this court from —

(a) engaging in or attempting to engage in harassment of —

- \* (i) the complainant; and/or
- \* (ii) the following related person/s:

- ROELOF JACOBS BURGER (HUSBAND OF COMPLAINANT)
- PAISLEY BURGER (MISSED CHILD OF COMPLAINANT)
- 
- 
- 

(b) enlisting the help of another person to engage in harassment of the complainant and/or above related person/s; and/or

(c) committing any of the following act/s:

- (i) To desist from contacting or communicating with the complainant, her husband or her employers.
- (ii) Not to post anything on any social media platforms concerning the complainant and related persons.
- (iii) To remove all pictures and comments from all social media platforms concerning the complainant and related persons.

\*3.2 The court imposes the following additional conditions that are necessary to protect and to provide for the safety and well-being of the complainant or related person/s:

- (a) .....
- (b) .....
- (c) .....

\*3.3 The court orders:

* (a)	That a member of the South African Police Service is to seize the following weapon(s): .....
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:.....  to supervise the collection of the complainant's or related person's personal property set out in paragraph 8 of the application for a protection order, and such member is authorised to take all reasonable steps to effect the collection of the said property.

4. The respondent is called upon to show cause on 07/05/2015 (the return date) at 08:13:00 (time) at the abovementioned court, why the court should not issue a final protection order.

5. The return date specified in paragraph 4, above, may be anticipated by the respondent on not less than 24 hours' notice to the applicant and the court.

6. If the respondent does not appear on the return date and if the court is satisfied that —  
(a) proper service has been effected on the respondent; and  
(b) the application contains *prima facie* evidence that the respondent has engaged or is engaging in harassment,

the court must issue a final protection order.

7. A copy of the application of the complainant and the record of any evidence noted during proceedings are attached for the information of the respondent.

8. In terms of section 16 of the Act the court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.

9. In terms of sections 3(3) and 15(a) of the Protection from Harassment Act, 2011, .....  
.....(name and surname), who is a \*clerk of court/\*sheriff/ \*peace officer is hereby directed to serve the interim protection order, a copy of the application for a protection order and the record of evidence noted on the respondent in accordance with regulation 28 of the Protection from Harassment Regulations, 2013.

  
.....  
MAGISTRATE

17.04.2015,  
.....  
DATE

Office stamp  
2015 -04- 17

**TAKE NOTE:**  
(a) A warrant of arrest has been authorised for the arrest of the respondent, the execution of which is suspended subject to the respondent's compliance with any specified prohibition, condition, obligation or order contained in this protection order.  
(b) A respondent who contravenes any specified prohibition, condition, obligation or order contained in the protection order is in terms of section 18(1)(a) of the Protection from Harassment Act, 2011, guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding five years.

6. INFORMATION REGARDING URGENCY OF APPLICATION

Submit the reasons why the Court has to consider the application as a matter of urgency:

X I fear for the safety of my minor child and my husband

"A"

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COMPLAINANTS AFFIDAVIT IN SUPPORT OF A PEACE ORDER

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I, the undersigned,

JOAN MELODY BURGER

do hereby make oath and say that:

1. Save where otherwise stated, the contents hereof are within my personal knowledge and are to the best of my belief both true and correct.
  
2. I am a major female of full legal capacity currently employed at the law offices of Ronald Bobroff and Partners situated at 37 Ashford Road, Rosebank, Johannesburg.
  
3. I am employed in the capacity of "Secretary" to the legal directors of the firm.
  
4. I do not disclose my home address in this application for fear of the Respondent and her conduct.

JMB 7/5



THE PARTIES

5. I am the complainant in this matter.
  
6. The respondent is CORA VAN DER MERWE,
  - 6.1. a major female of full legal capacity;
  
  - 6.2. currently residing at 7 Domicile, 14 Diannes Place, Eldo Glen, Centurion (as disclosed by her)
  
  - 6.3. whose full details are unknown to me; and who is referred to as the "Respondent" hereinafter.

PURPOSE OF THIS APPLICATION

7. I seek a protection order and peace order against the Respondent.
  
8. I need the protection of the law against her as she has been disturbing the peace in that :

TJ JB

- 8.1. She has been making unsubstantiated allegations as to my fidelity to my husband;
- 8.2. Accusing me of being Unfaithful to my husband;
- 8.3. Insinuating that I have been receiving monies for sexual favours to my employers;
- 8.4. Insinuating that the paternity of my child born in wedlock is disputable;
- 8.5. Disturbing my peaceful work environment
- 8.6. Disturbing my peaceful home and social environment.

BACKGROUND

9. I am currently employed at the law offices of Ronald Bobroff and Partners (the "firm"). I have been employed at the offices since 2009.

JB 7.5

10. The partners at the firm are :

10.1. Mr Ronald Bobroff;

10.2. Mr Darren Bobroff; and

10.3. Mr Steven Bezuidenhout.

11. The Respondent was initially associated with the firm as a legal cost consultant. She was subsequently employed as a candidate attorney during 2012 - 2014.

12. I had very little to no personal interaction with the Respondent whilst she was employed by the firm, other than greetings.

13. The Respondent was recently released from her employment at the firm under less than amicable circumstances which fall outside my personal knowledge and which are irrelevant for purposes of this application. Suffice to say that her relationship with the directors is strained.

JB  
r.s

14. I again state that up to the point that Respondent left the firm, we had no personal interaction other than office greetings. I did not even know her mobile phone number or where she lives.
15. There was no animosity between the Respondent and me.

EVENTS OF 20 MARCH 2015

16. For reasons unknown to me and uninitiated or unprovoked by me the Respondent began sending me "whatsapp" messages to my mobile phone.
17. I know that it is the Respondent who published these messages as the messages emanate from her mobile cellphone number and she has subsequently demonstrated knowledge of these messages.
18. I annex hereto as annexure **JB1** a copy of the messages sent to my husband on whatsapp. I can make the original messages (still on his phone available for inspection to the court) but confirm under oath that the contents of annexure **JB1** accords with the original.

JB  
12

19. The messages state (I have underlined the relevant portions) :

“Joan will feature in the show. Bobroff said Joan is not a good secretary,  
but good with other things” (10h12)

“You can ask Joan how much money did Darren gave her to have a baby  
and why” (18h17)

“Bobroff also found out about her mother and used that to manipulate  
Joan” (18h18)

20. The Respondent also published accusations about me to other  
people, inter alia Mr Darren Bobroff :

2015/03/19, 7:08:23 PM: cora: I know about you and Joan. I may even have  
recordings.

...

2015/03/19, 7:14:50 PM: cora: I have ALL the proof that's needed for your wife to  
make her own decision"

JB  
20

21. The Respondent has also obtained a photograph of my baby.
22. The Respondent then amended an office photo of Mr Darren Bobroff and me (along with other staff members) to add a photograph of my daughter which she has now published and is distributing. A copy of the photograph is annexed as annexure JB2.
23. The Respondent has gone to great length and detail to create this spectacle, which only further demonstrates how unstable she is.
24. The only inference to be drawn from the Respondent going to the trouble of electronically altering photographs of my child and me is to create the impression that Mr Darren Bobroff fathered my child.
25. I deny the implication of this infidelity and am traumatised by the lasting effect that this will cause to my family and particularly my child and my employment.
26. I am also aware that Respondent has likewise communicated with Mr Darren Bobroffs' wife and perpetuated her falsehood.

JB  
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27. Of particular concern is that the Respondent went so far as to send messages to my husband, Roelof Jacobus Burger on his cellphone.
28. The effect of her correspondences is that my marriage and work life is becoming intolerable.
29. I also fear that she appears to be obsessive and I have learnt that she is on psychiatric drugs from psychiatrists.
30. I fear that she will act irrationally and harm my family and me.

#### FURTHER UNLAWFUL CONDUCT OF THE RESPONDENT

31. It has now become public knowledge and was further advertised by the Respondent that her ex husband had to obtain a peace order against her.
32. After investigating further, I annex hereto a copy of such peace order obtained by the Respondents husband as annexure JB3.

CJB  
7/3

33. What is disturbing is that the Respondent appears to be mentally unstable and is on psychiatric medication.
34. I have a reasonable fear for the safety of my child and my own personal safety.
35. The Respondent is a loose cannon and is liable to act irrationally and unpredictably. I am in fear and need the protection of the law against the Respondent.

ORDER SOUGHT

36. I seek an order restraining the Respondent, inter alia from :
  - 36.1. contacting my husband, work associates and employers with regard to any matter concerning myself, my child, my husband and/or my employment;
  - 36.2. publishing or disseminating any further correspondence, images and insinuations relating to me;

CB  
7.6



36.3. Removing from her face book, twitter or any social media site any correspondence, images and insinuations relating to me;

37. Given the Respondents prior flouting of the law and her propensity to commit unlawful acts and not take the law seriously, I specifically ask that the court issue a suspended warrant of arrest against the Respondent.

38. I want nothing to do with the Respondent and I want her to leave me alone.

Burger

DEPONENT

SIGNED AND SWORN TO BEFORE ME AT Rosebank

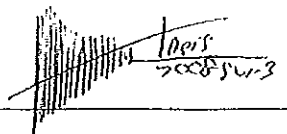
ON THIS 15 DAY OF April 2015

2015, THE DEPONENT HAVING ACKNOWLEDGED IN MY PRESENCE THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, THE PROVISIONS OF GOVERNMENT GAZETTE R1478 OF 11 JULY 1980 AS AMENDED BY GOVERNMENT GAZETTE R774 OF 20

JB T.S

APRIL 1982, CONCERNING THE TAKING OF THE OATH, HAVING BEEN  
COMPLIED WITH.

1982-04-19

  
\_\_\_\_\_

COMMISSIONER OF OATHS:

CAPACITY: AIC

FULL NAMES: Shaiso Melanis

PHYSICAL ADDRESS: 18 STORKE AVENUE  
ROXBURY

JB FS



+27 71 712 9453

last seen today at 21:06



BLOCK

ADD

20 MARCH 2015

Carte Blanche's Bobroff insert is definitely this Sunday at 7pm on M-Net.

If you miss it, it can be viewed from Monday onwards on <http://carteblanche.dstv.com>

10:10

Joan will feature in the show. Bobroff said Joan is not a good secretary, but good with other things

10:12

Im telling your prison warden everything and I am being serious.

19:29

Any more interdlets against you this year?

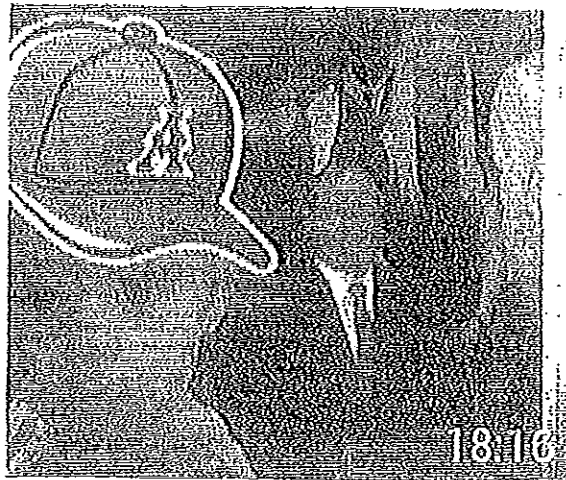
19:31



JB  
7-5

Im telling your prison warden everything  
and i am being serious. 19:29

Any more interdicts against you this  
year? 19:31



You can ask Joan how much  
money did Darren gave her to have  
a baby and why. 18:17

Bobroff also found out about her  
mother and used that to  
manipulate Joan. 18:18

You can ask Joan how much  
money did Darren give her to have  
a baby and why. 18:31



JB  
7-9













- 3.1.2.2 \*om nie die hulp van 'n ander persoon te verkry om die handeling van gesinsgeweld in paragraaf 3.1.2.1 vermeld, te pleeg nie;
- 3.1.2.3 \*om nie die gedeelde woning binne te gaan nie, geleë te: .....
- 3.1.2.4 \*om nie die volgende gedeeltes van die gedeelde woning binne te gaan nie, naamlik: .....
- te: .....
- 3.1.2.5 \*om nie die klaer se woning binne te gaan nie, geleë te: .....
- 3.1.2.6 \*om nie die klaer se werksplek binne te gaan nie, naamlik te: .....
- 3.1.2.7 \*om nie die klaer of enige kind wat gewoonlik in die gedeelde woning te: .....
- ..... woon of gewoon het, te verhoed om die gedeelde woning of enige deel daarvan binne te gaan of daarin te vertoef nie;
- 3.1.2.8 \*om geen van die volgende handeling te verrig nie, naamlik: .....
- 3.1.2.9 \*om huur- of verbandbetalings ten bedrae van R..... per maand/jaar te betaal;
- 3.1.2.10 \*om die bedrag van R..... as geldelike noodbystand aan die klaer te betaal.

**BYKOMENDE BEVEELD**

**4.1 Daar word verder soos volg gelas:**

- 4.1.1 \*'n Vredesbeampte, naamlik ....., moet die aansoeker na die volgende woning vergesel om te help met reëlings rakende die afhaal van persoonlike eiendom, d.i.: .....
- 4.1.2 \*'n Lid van die Suid-Afrikaanse Polisiediens te: ..... moet beslag lê op die volgende wapen(s) of gevaardike wapen(s) in die besit van die respondent, d.i.: .....
- 4.1.3 \*Die klaer se fisiese adres mag nie aan die respondent bekend gemaak word nie.
- 4.1.4 \*Die respondent word gelas om geen kontak met die volgende kind(ers) te hê nie: .....

JB  
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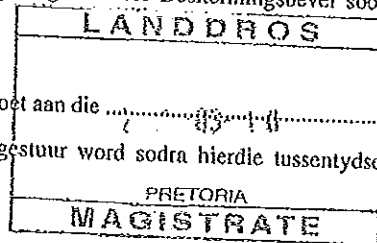
4.1.5 \*Die respondent word kontak met die volgende kind(ers) vergun: .....

op die volgende grondslag: .....

4.1.6 \*Die respondent .....

4.2 'n Lasbrief tot die inhegtenisname van die respondent word gemagtig, maar die uitvoering daarvan word opgeskort behoudens die respondent se nakoming van die bepalings van die Beskermingsbevel soos hierbo gestel.

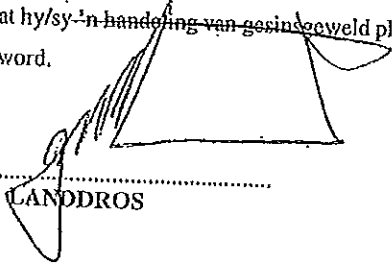
4.3 'n Afskrif van hierdie bevel en die lasbrief tot inhegtenisname moet aan die .....  
Wierdelabrug .....-polisiestasie gestuur word sodra hierdie tussentydse bevel aan die respondent beteken is.

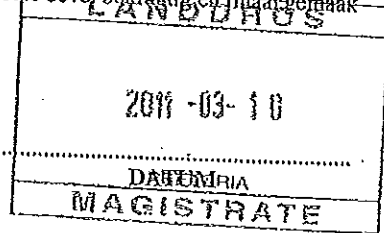


**5. DATUM VAN BEKRAGTING VAN BEVEL**

5.1 Die respondent word hierby ingelig van sy/haar reg om op die 23 dag van Maart jaar 2011 om 08:30 in die Landdroshof te Randallia Gebou, Visagieser 174 te verskyn ten einde redes te verstrek waarom die tussentydse beskermingsbevel nie bekragtig en finaal gemaak moet word nie, en van sy/haar reg om die aangeleentheid op 'n vroeër datum te laat verhoor na ten minste 24 uur skriftelike kennis aan die aansoeker en die gemelde hof.

5.2 Die respondent word voorts ingelig dat indien hy/sy nie op die voormelde datum en tyd in die hof verskyn nie en die hof oortuig is dat hierdie kennisgewing behoorlik aan hom/haar beteken is en oortuig is dat hy/sy 'n handeling van gesinsgeweld pleeg of gepleeg het, hierdie bevel bekragtig en finaal gemaak sal word.

  
 LANDDROS



*JB*  
*F.S*