



ABRAHAMSKIEWITZ  
INCORPORATED

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Our ref: MAT

Your ref:

24 August 2022

**ATT: GROUNDUP  
NATHAN GEFFEN (Editor)**

**PER EMAIL: [info@groundup.org.za](mailto:info@groundup.org.za)**

Dear Sirs

**RE: LETTER OF DEMAND: IN RE: ARTICLE PUBLISHED 23 AUGUST 2022 TITLED 'IQBAL SURVÉ'S  
PUBLICATIONS APPEAR TO TAKE THE SIDE OF ALLEGED LOTTERY CROOKS'**

1. We act on behalf of:

1.1. Independent Newspapers (Pty) Ltd (Sunday Tribune);

1.2. Independent Media (Pty) Ltd;

1.3. Independent Online SA (Pty) Ltd; and

1.4. Dr. Mohammed Iqbal Survé

**("our clients")**

2. Our instructions are that on 23 August 2022, Daily Maverick published an article authored by GroundUp Editors ("**yourselves**"), titled "*Iqbal Survé's publications appear to take the side of alleged Lottery crooks*" ("**the publication**").

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**Directors:** Charles Abrahams, Kevin Kiewitz; Aubrey Magerman

**Senior Associate:** Ilke Bosman; **Junior Associates:** Emmanuel Mashele; Rui Carvalho; Deyna Reddy

**Consultants:** Abigail Reynolds; Selwyn Hockey;

**Registration Number:** 2012/086658/21; **Vat No:** 4010261503

3. In the publication, the following statements are, *inter alia*, made:
- 3.1 *"Iqbal Survé's newspaper group has taken a curious interest in the story of corruption at the National Lotteries Commission - and it appears to be taking the side of the crooks."*
- 3.2 *"... But in the last few weeks, there has been a spate of articles on the Lottery on Independent Online (IOL), stuffed with the usual blend of dodgy reporting and high-minded indignation."*
- 3.3 *"...They could have sent one of their reporters to investigate our findings about Mampane's house. They did not."*
- 3.4 *"We can see where IOL's coverage on the Lottery is going – accusing those exposing the crooks at the Lottery of having a racist agenda. In effect they're accusing black whistleblowers at the Lottery and black investigators at the SIU of racism..."*
- 3.5 *"...The "political parties" turned out to be the Economic Freedom Fighters (EFF), increasingly IOL's favoured political partner, though not known for its strong stand on corruption."*
- 3.6 *"Since Survé got his hands on public money to buy the country's largest newspaper group, he has used it to publish inaccurate, often downright false, stories to further his personal interests. But in the past few weeks IOL has gone further, establishing itself as the voice that defends state capture and attacking those - including journalists - trying to expose state capture."*
- 3.7 *"This last story is especially sinister. It sends a message: if you investigate state capture, expect Survé and his propagandists to come after you."*

(**“the statements”**).

4. The statements are defamatory per se. They also bear at least the following defamatory meanings, namely that our clients:
  - 4.1 are dishonest
  - 4.2 are bias and have political affiliation
  - 4.3 uses Independent Media and Independent Newspapers publications to further their own political and personal agendas to manipulate narratives
  - 4.4 corrupt or has engaged in corruption
  - 4.5 are unethical
  - 4.6 have acted illegally; and
  - 4.7 are propagandists.
- 5 The statements are wrongful and are also entirely false, as our clients have adhered to ethical journalistic practices and due diligence involved in reporting. The statements are not only baseless, but are also made grossly negligently, recklessly and/or maliciously by yourselves.
- 6 The statements were published with the intention to suppress our clients' constitutional right to media freedom of speech and defame our clients in process.
- 7 Our instructions are, to demand, as we hereby do, that your platform publish the following public apology (for a period of 5 days on the Daily Maverick website):

*“On 23 August 2022, GroundUp published an article on the Daily Maverick website, titled “Iqbal Survé’s newspapers take the side of the Lottery crooks” authored by GroundUp Editors which contain defamatory remarks and/or negative remarks and/or conclusions about Dr Survé and Independent Media and companies within the Sekunjalo group of companies . We, at GroundUp, unconditionally retract and sincerely apologise for these defamatory remarks and/or negative remarks and/or conclusions ”*

- 8 Our clients require that their demands as set out in paragraph 7 above, be met by no later than 12:00 noon on **26 August 2022.**
- 9 Should you fail to meet our clients demands as aforesaid, our clients reserve the right to seek the appropriate relief herein.
- 10 In the event that you refuse to do so, we invite you to indicate in reply, by no later than 5pm on **26 August 2022:**
  - 10.1 which of the statements complained of, you maintain are true; and
  - 10.2 insofar as you suggest that some of the statements complained of are opinions (which we dispute), which statements are said to be opinions and on what true facts those opinions are said to be based.
- 11 As always, our clients’ rights remain strictly reserved.

Yours Faithfully,

**ABRAHAMS KIEWITZ INC.**

**PER:**

(unsigned electronic copy)

**I BOSMAN / D REDDY**

A signed copy of this letter is available

