

ED A O S SP E R B , AL

Judge Su X a g z u a g

e e va

Re é M. argas M.

KA OSH

v.

SECRETARY- GENERAL  
OF THE ED A O S

\_\_\_\_\_  
\_\_\_\_\_

Wa ge Wa ome Aked

Re e a Br t e HCR  
Fra s o avarro HCR

1.

9. The respondent as a ready provided the format requested by the respondent's Order No. 123 (A 2023) there is no need to adjudge the respondent's motion as it is a moot.

10. The respondent as a result of pursuing Order No. 123 (A 2023) by 28 September 2023 Counsel for the Applicant was to :

- a. File Add to a evidence pursuant to the motion at the CMD; and
- b. Carry the Applicant's position with respect to the allegation of separate potato ad use.

Add to a evidence

11. On 28 September 2023 Counsel for the Applicant submitted more than 150 files spread across several folders sub folders and zip files which included documents in various formats i.e. MS Word PDF format audio video and pictures. Counsel for the Applicant filed a report outlining the files submitted. See merely 33 documents as the "add to a evidence" which were "the Applicant were requiring... support of case".

12. Having reviewed the above-mentioned submission the respondent finds it appropriate that the Applicant's Counsel submit to the Code of Conduct for Legal Representatives and Litigants Person ("the Code of Conduct") which sets the standard of professional conduct expected of her.

13. Article 4 of the Code of Conduct provides that:

- 2. Legal representatives and litigants persons shall diligently and effectively advocate the necessary duties of proceedings.

14. The respondent at her submission of 28 September 2023 to the Appellate Court failed to properly comply with Order No. 123 (A 2023) and read arts. 4.2 of the Code of Conduct. She failed to argue in her affidavits a disorganized manner without any preparation.

15.

the App a t s ar f at o s

19. By Order o. 123 ( A 2023) t e r u a s t r u t e d t e App a t t o ar fy s argume t a out t e a egat o of se ua e p o t a t o a d a use .e. w e t e r s p o s t o s t a t t e r e w a s a o s e s u a s e u a r e a t o s p e t w e e t w o a d u t s o r t a t t e r e w a s o s e u a r e a t o s p a t a .

20. s s u m s s o t e App a t d a t e s t a t a t o u g “t e r e [w a s] a o s e s u a r e a t o s p e t w e e t e p a r t e s ... t e r e w a s o s e u a t e r o u r s e a d o r p e e t r a t o t a t o u r r e d d u r g t e p e d e y o f t e r f r e d s p a d o r r e a t o s p”. H e a s o a d d s t a t “t w a s a f r e d s p e t w e e t w o o s e t g a d u t s a d a t o p o t w a s t e r e a y o e r o a d o r m a p u a t o f r o m t e App a t”.

21. e r u a o s d e r s t e App a t s r e s p o s e s t a m g u o u s a d t u r g e s t e App a t t o ar fy s argume t t s r e s p e t: s t t e App a t s p o s t o t a t t e r e w a s o s e u a r e a t o s p a t a ?

22. v e w o f t e a o v e t e d e a d e f o r t e R e s p o d e t t o f e s r e s p o s e t o t e App a t s s u m s s o s w e e t e d e d a o r d g y.

23. v e w o f t e f o r e g o g t s O R D E R E D H A :

a. e App a t s 28 S e p t e m e r 2023 s u m s s o s s t r u k f r o m t e r e o r d;

. t e App a t s a p r o p e r y o m p y w t O r d e r o. 123 ( A 2023) p a r t u a r y r e s p e t o f t e g u d e e s p r o v d e d p a r a s. 15 16 a d 18 a o v e; a d

. t e R e s p o d e t s a f e s o m m e t s o t e App a t s a o v e s u m s s o .

( )

Judge Su X a g z u a g

Dated t s 9<sup>th</sup> day of O to er 2023

E tered t e Reg ster o t s 9<sup>th</sup> day of O to er 2023

( )

Re é M. argas M. Reg strar e eva