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MARIPE J.
IN THE HIGH COURT OF THE REPUBLIC OF BOTSWANA
HELD AT MAUN

Case No: MAHMN-000075-22

In the dispute between

GCWIHABA RESOURCES (PTY) LTD

Applicant

And

MINISTER OF MINERALS AND ENERGY

First Respondent

ATTORNEY GENERAL

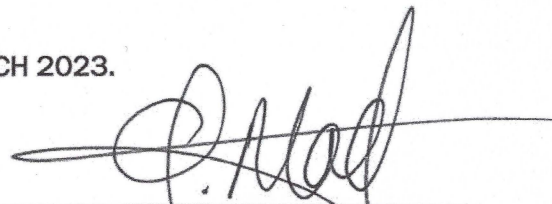
Second Respondent

FILING NOTICE

FILED HEREWITH:

1. Notice to produce.

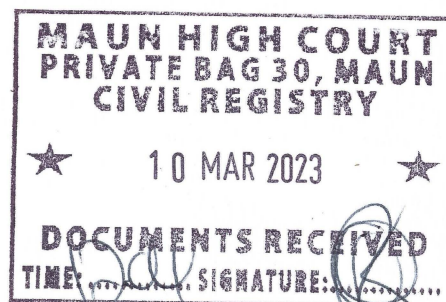
DATED AT GABORONE ON THIS 10TH DAY OF MARCH 2023.



COLLINS CHILISA CONSULTANTS
Applicant's Attorneys Gaborone
Chambers Plot 4858, Lecha
Close Off Marakanelo Way
P O Box 45136
GABORONE

TO: THE REGISTRAR
High Court
MAUN

AND TO: ATTORNEY GENERAL

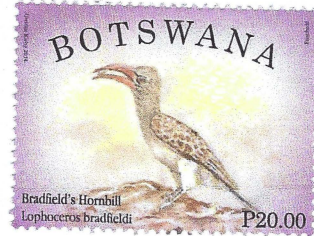


2

G.I. Begane
For Respondents
Government
Enclave
GABORONE

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NOTICE TO PRODUCE

TAKE NOTICE THAT the Applicant requires the Respondents herein to produce for its inspection, the following documents:

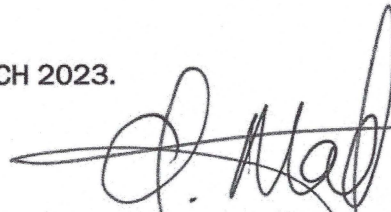
1. All communications (be it WhatsApp; texts; email; letters; memo, etc.) by the First Respondent with any of the Applicant's or the Applicant's mother company, Tsodilo Resources Limited ("Tsodilo"), shareholders or members of the investing public, the contents of which refer to the Applicant or Tsodilo in any way from 12 July 2021 to 01 August 2022.
2. All communications (be it WhatsApp; texts; email; letters; memo, etc.) by the Respondents with Tsodilo investor Claudius Nowack. Evidence of such communications can be seen from RA16 of the Applicant's Replying Affidavit.
3. In a WhatsApp conversation annexed to the Applicant's Replying affidavit and marked RA16, the First Respondent notes that "The memo is still doing rounds for Government to consider investing. Once completed, which should be in September, then I will revert with feedback." Production of the said memo is hereby requested.



(H)

4. In a WhatsApp conversation annexed to the Applicant's Replying affidavit and marked **RA16**, the First Respondent writes as follows on 02 December 2021, "Hello Sir, Tsodilo has just renewed some of its licenses, notably expunging the area on the area on the buffer zone. This effectively changes the quantities previously known and therefore needs further relook by our teams" As the First Respondent is clearly referencing the Mineral Development Company of Botswana's (MDCB) investment in the Applicant which the First Respondent disclosed to the general public during his 12 July 2021 presentation on BTV <https://player.vimeo.com/video/574156067> and further to the fact that the Applicant HAD NOT expunged any areas in the buffer zone that contained "any quantities previously known" we hereby requests all documents that the First Respondent relied on to make such an inaccurate statement.

DATED AT GABORONE ON THIS 10TH DAY OF MARCH 2023.



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