AFFIDAVIT

I, the undersigned,

BONGANI NKALA

do hereby make oath and say:

- I am an adult former gold mineworker residing at Kambi Administrative Area,
 Mthatha.
- 2. I worked underground on the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
Harmony Mine	1985 – 1997	Team member

- 3. I attach hereto marked "BN1" a copy of my record of service, as captured by TEBA Limited.
- 4. As a team member, my job duties included collecting rocks to put place in the path of the scraper and igniting the dynamite that would be used to clear rocks.

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- 5. During my time working for Harmony, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as drilling, blasting, and crushing of ore and rock.
- The dust levels underground were generally controlled by spraying the walls with water. This was done once in the morning, and after each blast that occurred during a shift. Blasting underground created a lot of dust and much of it remained in the workspace, even after the walls were sprayed with water, as we could still see it, as well as taste and smell it. There was no ventilation to control the dust levels in my workspace underground and, as a result, the watering process was the only means of dust control. The dust would remain in the air until the walls were watered, and soon thereafter, when walls dried, the dust levels would increase again. The watering process was an ineffective means of controlling the dust levels underground.
- 7. On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: in the travelling tunnels and in the worksite.
- I was never provided with any respiratory equipment. I inhaled all dust that I was exposed to.

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- 9. The dust levels were especially high when I would enter the mine at the beginning of my shift. I had to walk eight kilometres through the tunnels underground to get to my workspace. Lots of dust would settle on the equipment that we used and the equipment was not cleaned during or between shifts. The dust would also settle on our hair, face, and clothes while we worked.
- 10. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 11. I was diagnosed to be suffering from TB and Pneumoconiosis during my Exit Medical Examination conducted by my former employer in 1997 (see attached certificate marked "BN2"). As a result of this diagnosis, I was retrenched. I was 52 years old at the time.
- 12. In June 2012, I was diagnosed with silicosis. I attach the medical report confirming the diagnosis marked "BN3". I did not have silicosis prior to working on the gold mines.
- 13. When I walk up stairs I experience sharp pains in my lungs and I have to take frequent breaks when walking. I get exhausted from walking which makes doing everyday activities very difficult. I have to be careful to not overexert myself

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because there is much work that needs to be done and I need to have the energy to do it.

- 14. As a result of having silicosis, I am no longer able to work. The government pension that I receive does not cover my expenses. I have one wife, four children, and two grandchildren that are my dependants. They require food, clothing, and education. In months when either I or one of my dependants needs to visit a hospital, it becomes especially challenging to cover the monthly costs.
- 15. I have accordingly suffered the following damages:
 - 15.1 loss of earnings;
 - 15.2 medical expenses;
 - 15.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 16. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.

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- 17. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 18. I will not accept any payment for serving as class representative beyond my pro rata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 19. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

BONGANI NKALA

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at ________ on this the ______ on this the ______ day of _______ 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

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COMMISSIONER OF OATHS

Full names: M. D. KA La

Address:

-Modeing Police

Capacity:

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B.12 MD



Date of Birth: 1954/01/01

1D Number: T1730703

Current Passport: Issued at:

Industry No: H0289260

T E B A Limited RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Name(s):BONGANI Surname: NKALA

Current District - Code :119

District Country: SOUTH AFRICA District Description: MTHATHA

Left Hand :a~01aAa~~29~~IM

Change Date Occupation

Education: SECONDARY LEVEL (E.G. HIGH SCH	Right Hand :Z~09~Wa~~05!~OZ	
<u>п</u>	Righ	-

office Description	НАТНА	ТНАТНА	НАТНА	ТНАТНА	ТНАТНА	ТНАТНА	ЛТНАТНА	ТНАТНА	ТНАТНА	НАТНА	тнатна
ō	Ψ	Ψ	Ψ	Ψ	M	Ψ	M	Ψ	M	Σ	Z
Reference Book Client Description	280 - HARMONY										
Reference Book		-									
Passport	T3244244										
Comp/No	T0234168	T0234168	T0234168	T0234168	234168			T234168	T234168	T234168	T234168
Year Term/Date Comp/No	1997 1997/10/30	1996 1997/10/05	1995 1996/08/29	1994 1995/07/20	1993 1994/05/25	1992 1993/02/25	1990 1991/11/14	1989 1990/08/28	1988 1989/06/22	1986 1988/04/21	1985 1986/07/16
N/S	2177	2331	2562	1627	1305			3579	2586	5144	620
Office	3909	3909	3909	3909	3909	3909	3909	3909	3909	3909	3909
Reg/Date	1997/10/06	1996/08/30	1995/07/21	1994/06/27	1993/05/25	1992/02/21	1990/11/06	1989/08/22	1988/06/21	1986/10/21	1985/01/22

AFFIDAVIT

I, the undersigned,

SIPORONO PHAHLAM

do hereby make oath and say:

- I am an adult former gold mineworker residing at Imizizi Administrative Area,
 Redoubt, Bizana.
- 2. I worked underground in the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
President Brand Mine	1971 - 1974	Team Leader
Vaal Reefs Mine	1976 – 1977	Boss Boy
Elandsrand Mine	1980 - 2004	Miner

 I attach hereto marked "SP1" a copy of my record of service, as captured by TEBA Limited.

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- 4. As a team leader and a boss boy, my duties were to supervise the other mineworkers underground. As a miner, I was responsible for blasting underground.
- 5. During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as blasting, crushing and transporting rock and ore.
- On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: the stopes and the development tunnels where blasting took place, as well as at the tipping station. There was often poor ventilation in the tunnels, which, in addition to the dusty environments in which I worked, made it difficult to breathe underground.
- 7. The positions that I held underground meant that I was often close to areas where blasting took place. Any explosion underground created large amounts of dust, to which I was exposed, and I could see taste and smell dust. When explosions took place in other levels of the mine during a shift, it would create dust in my workspace as well, as the walls of the tunnels reverberated with the blast. After completing each shift underground, my uniform was covered in dust.

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- 8. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 9. In 2004, I was certified to be suffering from silicosis by the Medical Bureau for Occupational Diseases (MBOD). I attach hereto marked "SP2" a copy of the MBOD certificate issued to me. As a result of having silicosis, my former employer found that I was no longer able to perform my duties underground and my employment on Elandsrand mine was terminated. I was 51 years old at the time. Attached marked "SP3" is a letter confirming my termination of employment on medical grounds. I did not have silicosis prior to working on the gold mines.
- 10. As a result of having silicosis, I am no longer able to perform any type of work to support my wife, children and grandchildren. Due to my ill health, I am physically weak. I often suffer from shortness of breath, which condition worsens in cold or wet weather, and I find it difficult to walk. I feel helpless and frustrated as I can no longer do anything for myself.
- 11. I have accordingly suffered the following damages:
 - 11.1 loss of earnings;
 - 11.2 medical expenses:

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- 11.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 12. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.
- 13. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 14. I will not accept any payment for serving as class representative beyond my prorata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 15. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

SIPORONO PHAHLAM

SOUTH AFRICAN POLICE SERVICE BIZANA

2012 -11- 29

COMMUNITY SERVICE CENTRE

Umadipola

COMMISSIONER OF OATHS

Full names: None TIACY MADINITECO

Address: Plans & 530, Blances

Capacity: Cst 20533726



T E B A LimitedRSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Name(s): SIPONONO Surname: PHAHLANI

Date of Birth: 1953/03/12 Industry No : C0173486

Education: SECONDARY LEVEL (E.G. HIGH SCH ack History: Complete Right Hand: BO20WU~WW~~OXMM Left Hand: BI19WU~W~~OXIM	Change Date Occupation 2004/05/21 OTHER OCCUPATIONS 2001/05/20 OTHER OCCUPATIONS 1998/06/20 OTHER OCCUPATIONS 1997/05/05 OTHER ROCKBREAKER 1997/05/05 GENERAL MINER 1997/05/05 LEARNER MINER
Education: SECONDA Back History : Complete Right Hand :BO20WU~ Left Hand :BI19WU~V	Office Description CONTRACT CODE MATATIELE MATATIELE MATATIELE MATATIELE MATATIELE S MATATIELE
Name(s):SIPONONO Current District - Code:313 District Description:CARLETONVILLE District Country:SOUTH AFRICA	Book Client Description CHANGE OF OCCUPATION 048 - KUSASALETHU MINE
	Passport Reference Book T2004357 T2004357 T2004357 T2004357 T0518912 T0518912 5751910
3/12 :5684087	Year Term/Date Comp/No Passport Reference 1993 1997/05/04 T2004357 T2004357 1987 1988/02/02 T2004357 T2004357 1987 1988/02/02 T2004357 T2004357 1985 1986/06/09 T2004357 T0518912 1981 1982/10/13 T0518912 T0518912 1976 1977/12/02 5751910 5751910
ate of Birth : 1953/03/12 ID Number :5303125684087 nt Passport : Issued at :	2507 2507 2609 811 4475 2616 6995
Date of Birth : 1953/03/12 ID Number :530312568. Current Passport : Issued at :	Reg/Date Office S/N 1993/03/26 8500 2507 1988/04/26 3635 2609 1987/02/03 3635 841 1985/06/10 3635 4475 1983/04/07 3635 2616 1981/10/14 3635 2616 1976/12/03 3635 6926

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1973/05/08 3635

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AFFIDAVIT

I, the undersigned,

MAPHATSOE KOMPI

do hereby make oath and say:

- I am an adult former gold mineworker residing at Ha Mathabela Qomo-Qomong,
 Lesotho.
- I worked underground in the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
Deelkraal Mine	1981 – 1997	Winch Driver
Elandsrand Mine	1997 - 2009	Loco Driver

- 3. I attach hereto marked "MK1" a copy of my record of service, as captured by TEBA Limited.
- 4. As a winch driver, my duty was to load the rock and ore into the loco carriages for it to be taken to the surface. As a loco driver, I was responsible for driving the gold that had been mined underground to the surface of the tunnels.

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- During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as blasting, crushing and transporting rock and ore.
- 6. On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: in the tunnels where blasting took place, as well as at the tipping points, where the rock and ore was put into the loco carriages.
- 7. I could always, see taste and smell dust in my work space while I worked underground. My clothes and face were always covered in dust.
- 8. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 9. In 2009, my former employer found me to be permanently unfit for my normal duties and it was recommended that I be transferred to a lower silica dust exposure site. Attached is a copy of the finding marked "MK2". In the same year, at the age of 59 years, I was advised by my former employer that I had reached the age of retirement and that I was no longer fit to work underground. I left work

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on the mines and returned home to Lesotho. According to the copy of the attached Exit Medical Certificate marked "MK3", I was diagnosed with silicosis when I left work on the mines.

- 10. My former employer did not inform me about the risk of contracting silicosis as a result of breathing in silica dust while working underground. I only heard about silicosis from talking to other mineworkers.
- Since I left work on the mines, life has been difficult. As a result of having silicosis, I am no longer able to perform any type of work to support my wife minor children. Due to my ill health, I am physically weak, I struggle to breathe and I experience pains in my chest. I am no longer able to be involved in the activities of my community.
- 12. I have accordingly suffered the following damages:
 - 13.1 loss of earnings;
 - 13.2 medical expenses;
 - 13.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 13. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously

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prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.

- 14. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 15. I will not accept any payment for serving as class representative beyond my pro rata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 16. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

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MAPHATSOE KOMPI	455 PORT NO. RA239043

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at MASERU on this the OZday of NECEMBER 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

COMMISSIONER OF OATHS
Full names: KOLISANG MOCHESANE LEPHOLISA
Address: 397 HILTON ROAD MASCEN

Public Capacity: NOTARY

TEBA Limited RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Name(s): MAPHATSOE Surname: KOMPI

Current District - Code: 527

District Country: LESOTHO District Description: QUTHING

Current Passport: RA239043

ID Number:

Issued at :LESOTHO

Date of Birth: 1950/01/01

Industry No : C0014364

Education: PRIMARY SCHOOL EDUCATION Back History: Not Complete

Change Date Occupation															
Office Description	MAFETENG	QUTHING	QUTHING	QUTHING	QUTHING	QUTHING	TOM RANDFONTEIN OFFICE	QUTHING	QUTHING	QUITHING	QUTHING	QUIHING	QUTHING	QUTHING	QUTHING .
Reference Book Client Description	F90 - HARMONY GOLD GROUP	F90 ~ HARMONY GOLD GROUP	048 - ELANDSRAND GOLD MINE QUTHING	048 - ELANDSRAND GOLD MINE TOM RANDFONTEIN OFFICE	048 - ELANDSRAND GOLD MINE QUTHING	048 - ELANDSRAND GOLD MINE QUTHING	048 - ELANDSRAND GOLD MINE	037 - DEELKRAAL GOLD MINE							
Reference Book															÷
Passport	RA239043	RA239043	RA239043	RA239043	RA239043	RA239043	M0149824	M0149824	M0149824	M0149824	M0149824	M0149824	M0149824	M0149824	G0073691
Comp/No	EC0014364	EC0014364	C0014364	CA007072	CA007072	CA007072	CA007072	CA007072	CA007072	CA007072	175382	175382	175382	-	
Year Term/Date Comp/No	2009	2007 2008/11/22	2006 2007/10/12	2005 2006/10/12	2004 2005/09/01	2003 2004/06/10	2002 2003/06/11	2001 2002/03/12	2000 2001/03/01	1997 1998/03/01			1992 1993/11/03	1991 1992/09/03	1989 1990/05/10
N/S €	51	1992	1823	1776	1652	1486	1790	759	732	1800	1990	7523	9089	5634	3519
Office	1312	1324	1324	1324	1324	1324	0145	1324	1324	1324	1324	1324	1324	1324	1324
Reg/Date Office S/N	2009/01/02	2007/11/22	2006/10/12	2005/09/01	2004/07/22	2003/06/12 1324	2002/06/13	2001/03/13 1324	2000/03/02	1997/03/21	1996/03/25 1324	1993/12/09 1324	1992/11/04	1991/09/05 1324	1989/05/11 1324

QUTHING

037. - DEELKRAAL GOLD MINE

CHANGE OF OCCUPATION

G0073691

G0073691

1983 1984/02/03 175382

861

1983/02/04 1324

1983/02/06 LOCOMOTIVE DRIVER

QUTHING

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037 - DEELKRAAL GOLD MINE 037 - DEELKRAAL GOLD MINE

QUTHING

037 - DEELKRAAL GOLD MINE 037 - DEELKRAAL GOLD MINE

G0073691 G0073691 G0073691

1988 1989/02/16 1986 1987/11/19

1398 8114 909 4046

1324

1986/11/20 1988/02/18

1985/09/12 1324

1984/07/02 1324

1985 1986/09/11 1984 1985/07/01

Human Resources Manager Garda Grundlingh.

CWIND PER CECH

26/06/198

AFFIDAVIT

I, the undersigned,

THEMBEKILE MNAHENI

do hereby make oath and say:

- I am an adult former gold mineworker residing at Mohoabatsana Administrative
 Area, Mount Fletcher.
- 2. I worked underground in the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
Kinross Gold Mine	1974 – 1994	Labourer
		Winch Driver

- 3. I attach hereto marked "TM1" a copy of my record of service, as captured by TEBA Limited. According to TEBA Limited, I worked at Kloof Gold Mine from November 1991 to January 1993. However, I confirm that I only worked at Kinross mine and did not spend any time working at Kloof Gold Mine.
- 4. As a winch driver, my duty was to load the rock and ore into the loco carriages for it to be taken to the surface.

- 5. During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as blasting, crushing and transporting rock and ore.
- 6. On a daily basis, I and my co-workers breathed silica dust in the transport of rock and ore underground, as well as in the tunnels underground where blasting took place. Blasting underground often took place during a shift and the dust created from a blast was particularly bad when the area was not watered down after each blast. In these circumstances, I could see, taste and smell dust whilst working underground.
- 7. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- I was retrenched by my former employer in 1998 as I was found to be no longer fit to work underground. I was 48 years of age.

- 9. I was diagnosed with silicosis in September 2012. Attached is the medical report with details of my diagnosis marked "TM2". I did not have silicosis prior to working on the gold mines.
- 10. As a result of having silicosis, I am no longer able to perform any type of work to support myself and my family. Due to my ill health, I am physically weak. I have to walk very slowly and I often suffer from shortness of breath.
- 11. I have accordingly suffered the following damages:
 - 11.1 loss of earnings;
 - 11.2 medical expenses;
 - 11.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 12. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.
- 13. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I

will continue to work in good faith with my counsel to obtain a fair recovery for the class.

- 14. I will not accept any payment for serving as class representative beyond my pro rata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 15. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

T. MNHENT THEMBEKILE MNAHENI

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at MATATICAL on this the 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

COMMISSIONER OF OATHS

Full names:

putetura ful;

Address: 4+ Taylor Sheet Capacity: CSF

SOUTH AFRICAN POLICE SERVICE COMMUNITY SERVICE CENTRE

2012 -11- 27

MATATIELE EASTERN CAPE



Industry No : A1131390

ID Number:5004115777085 Date of Birth: 1950/04/11

Issued at : SOUTH AFRICA Current Passport; T3605106

T E B A Limited RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Name(s): THEMBEKILE Surname: MONAHENI Current District - Code: 077

District Despription: MOUNT FLETCHER District Country: SOUTH AFRICA

Education: PRIMARY SCHOOL EDUCATION Back History: Complete

Change Date Occupation				-							
Office Description	MOUNT EI ETCHER	MOUNT EL ETCHER	MOUNT FI FTCHER	MOUNT ELETCHER	MOUNT ELECHER	MOLINI EL ETCHER	MOUNT ELECTER	MOUNT FLETCHER	MOUNT FI ETCHER	MOUNT FLETCHER	MOUNT FLETCHER
Reference Book Client Description	091 - KLOOF GOLD MINE	092 - KINROSS GOLD MINE									
Reference Book											
Passport T2382899	T2382899	T2382899	T2382899	T2382899	T2382899	T0725638	T0725638	T0725638	T0725638	T0631917	5429029
Year Term/Date Comp/No 1993 1994/01/20 086495	1991 1993/01/20	1990 1991/07/16	1989 1990/04/17	1988 1989/01/11	1986 1987/10/09	1985 1986/07/30	1984 1985/05/21	1983 1984/05/21	1982 1983/04/14	1981 1982/01/14	1974 1975/11/28
S/N 223	2598	1908	1183	140	3489	2698	1802	3001	1261	118	863
Office 3625	3625	3625	3625	3625	3625	3625	3625	3625	3625	3625	3625
Reg/Date Office 1993/01/21 3625	1991/11/01	1990/07/17	1989/04/18	1988/01/13	1986/10/10	1985/07/31	1984/05/22	1983/11/01	1982/04/15	1981/01/15	1974/11/29

AFFIDAVIT

I, the undersigned,

MATONA MABEA

do hereby make oath and say:

- I am an adult former gold mineworker residing at Mekaling Ha Makoanyane,
 Lesotho.
- I worked underground in the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
Randfontein Mine	1977 - 2004	Stope Team Member
		Winch Driver
		Team Leader

- 3. I attach hereto marked "MM1" a copy of my record of service, as captured by TEBA Limited.
- 4. As a member of the stope team, my duty was to clean the rock away from the blasting site after blasting and to load it into the hoppers. As a winch driver, my duty was to load the rock and ore into the loco carriages for it to be taken to the

surface. As a team leader, I supervised the work of other mineworkers in my team.

- 5. During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as blasting, crushing and transporting rock and ore.
- 6. On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: in the tunnels where the blasting took place, as well as in the areas where the rock and ore was loaded into the loco carriages to be taken to the surface.
- 7. I could see taste and smell dust while I worked underground and would be covered in dust at the end of each shift.
- 8. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 9. In 2004, at the age of 51, I was retrenched and I left work on the mines to return home to Lesotho.

- 10. I was diagnosed with silicosis in September 2012. I attach a copy of the medical report confirming this diagnosis marked "MM2". I did not have silicosis prior to working in the gold mines.
- 11. As a result of having silicosis, I am no longer able to perform any type of work to support my wife and dependent children and grandchildren. Due to my ill health, I struggle to perform physical tasks without help, as I could before, and I am no longer able to be involved in day-to-day community activities.
- 12. I have accordingly suffered the following damages:
 - 12.1 loss of earnings;
 - 12.2 medical expenses;
 - 12.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 13. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.

- 14. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 15. I will not accept any payment for serving as class representative beyond my pro rata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 16. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

Malona Malea MATONA MABEA PASSPORT NO. RA 576496

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at ________ on this the O______ day of ________ because 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

COMMISSIONER OF OATHS
Full names: Kolisang Mochesanue Lefholisa
Address: 397 Hilton Road mascelu
Capacity: Notaky Public

T E B A Limited RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Surname: MABEA

Name(s): MATONA Current District - Code :518

District Description: MOHALESHOEK
District Country: LESOTHO

Education: PRIMARY SCHOOL EDUCATION

₹ 200

Change Date Occupation

5																					
Office Description	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK	MOHALESHOEK
Client Description	F90 - HARMONY GOLD GROUP	145 - RANDFONTEIN ESTATES																			
Reference Book								-													
Passport	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	K0016771	H0108692	H0108692	E0116279	E0116279	E0116279	B0248685	B0248685
'Date Comp/No	31340026	31340026	31340026	1340026	1340026	1340026	1340026	1340026	1340026	1340026	1340026	1340026	221260	221260	534358						
Year Term/Date	2004 2004/12/13	2002 2003/10/01	2001 2002/08/29	2000 2001/08/01	1999 1999/06/09	1998 1999/03/12	1997 1998/01/09	1995 1996/10/15	1994 1995/08/15	1993 1994/05/05	1992 1993/04/06	1991 1992/05/05	1989 1990/01/17	1987 1988/09/08	1986 1987/08/26	1984 1985/10/10	1983 1984/09/26	1982 1983/03/02	1979 1980/10/30	1979 1979/10/28	1977 1978/01/09
S/N	125	3632	3081	2839	2508	1539	585	6869	5582	2967	5068	3116	591	6801	5742	5289	5547	1257	5301	286	178
Office	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320	1320
Reg/Date Office	2004/01/08	2002/10/02	2001/08/30 1320	2000/08/02	1999/06/08	1998/03/13 1320	1997/01/10 1320	1995/10/17	1994/08/16 1320	1993/05/06 1320	1992/07/23 1320	1991/05/07 1320	1989/01/19	1987/09/10 1320	1986/09/03	1984/10/11 1320	1983/12/01	1982/03/03	1979/11/01 1320	1979/02/09	1977/01/10



Date of Birth: 1953/05/05 Industry No : A1254214

ID Number: Current Passport: Issued at:

AFFIDAVIT

I, the undersigned,

MOKHOLOFU BOXWELL

do hereby make oath and say:

- 1. I am an adult former gold mineworker residing in Butha-Buthe, Lesotho.
- 2. I worked underground in the following mines in the following positions during the dates set forth below:

(1) Mine	(2) Dates	(3) Title/Position
Winkelhaak Mine	1975 1978	Timber Boy
Libanon Mine	1979 – 1980	Machine Driller
Bracken Mine	1980 – 1992	Machine Driller
Free Gold (Joel) Mine	1994 1998	Machine Driller

- 3. I attach hereto marked "MB1" a copy of my record of service, as captured by TEBA Limited.
- 4. As a timber boy my duty was to erect wooden poles in the development tunnels underground so that they would not collapse during blasting. As a machine



driller, I operated a drilling machine to drill holes into the sides of the tunnels in which dynamite was placed for blasting.

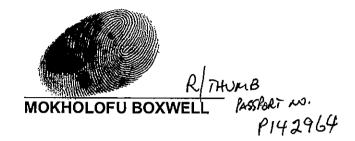
- 5. During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as blasting, crushing and transporting rock and ore. Blasting during a shift underground created so much dust in the work space that it was impossible to continue working until the space had been cleaned with water.
- 6. On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: in the tunnels where the blasting took place, as well as at the tipping station where the rock was loaded into hoppers to be taken to the surface.
- 7. I was given a respiratory mask to wear while I worked underground, but it was not replaced very often. When I reported to my supervisor that I needed a new mask because it was no longer performing its function, I would have to wait before a new mask was issued to me. It was not compulsory to wear the respiratory masks underground.
- 8. I could see, taste and smell dust while I worked underground, particularly after blasting took place during a shift and we were not evacuated from the mine. My clothes were completely covered in dust at the end of each shift.

- 9. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 10. In 2007, I was retrenched from work on the mines. I was 52 years old.
- 11. I was diagnosed with silicosis in September 2012. Attached is a copy of the medical report confirming this diagnosis marked "MB2". I did not have silicosis prior to working in the mines.
- 12. As a result of having silicosis, I am no longer able to perform any type of work to support my wife and two daughters and every month I struggle to make ends meet. I cough heavily all the time and I have constant chest pains. Apart from no longer being able to provide for my family, I am no longer able to partake in community activities. I feel depressed and isolated.
- 13. I have accordingly suffered the following damages:
 - 13.1. loss of earnings;
 - 13.2. medical expenses;
 - 13.3. general damages for pain, suffering, loss of amenities of life, disablement

and reduced life expectancy.

- 14. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.
- 15. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 16. I will not accept any payment for serving as class representative beyond my pro rata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 17. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.





I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at MASERU on this the 07 day of becomber 2012 and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

Full names: Kolisang Mochesane Lepholisa Address: 397 Hilion ROAD MASCIEN

Capacity:





T E B A Limited RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

ID Number:

Date of Birth: 1955/01/01

Industry No : A1618795

Issued at :LESOTHO Current Passport : Р142964

Name(s): MOKHOLOFU Surname: BOXWELL Current District - Code: 506

District Description: BUTHA BUTHE District Country: LESOTHO

Education: PRIMARY SCHOOL EDUCATION

Back History: Complete
Right Hand: BO09WR~~~17IIOM
Left Hand: O~01~U~~~MOMZ

Change Date Occupation	•																-		
Office Description	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	BUTHA BUTHE	ВОТНА ВОТНЕ
Reference Book Client Description	596 - KAREE MINE	281 - FREE GOLD (JOEL)	008 - BRACKEN GOLD MINE	095 - LIBANON GOLD MINE	095 - LIBANON GOLD MINE	258 - WINKELHAAK MINES LTD.	258 - WINKELHAAK MINES LTD.	258 - WINKELHAAK MINES LTD.											
Reference Book																			
Passport	P142964	N0295797	N0295797	N0295797	N0295797	J0158583	J0158583	J0158583	J0158583	H0061242	H0061242	H0061242	E0030475	E0030475	E0030475	E0030475	E0030475	C0032517	C0032517
Сотр/No		1302787	1302787	1302787								157236			70289	81892	25858		
Year Term/Date Comp/No	2001 2002/11/20	1997 1998/11/16	1996 1997/11/20	5881 . 1995 1996/09/13	1994 1995/07/28	1991 1992/01/10	1989 1990/10/17	1988 1989/08/03	1987 1988/06/09	1986 1987/05/27	1985 1986/07/15	1984 1985/03/22	1982 1983/01/18	1980 1981/07/06	1980 1980/07/03	1979 1980/05/08	1978 1978/12/21	1976 1977/06/28	1975 1976/06/16
S/N	3797	6814	6928	5881	4796	211	7224	5151	3915	5972	4171	1737	398	2764	2764	3930	5334	5011	3642
Office	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304	1304
Reg/Date Office	2001/11/21	1997/12/19	1996/11/21 1304	1995/09/15 1304	1994/07/29	1991/01/11	1989/10/18	1988/08/04	1987/06/11 1304	1986/09/16	1985/07/16	1984/03/23	1982/01/19	1980/07/07	1980/07/01	1979/08/23	1978/09/13	1976/06/29	1975/06/18



AFFIDAVIT

I, the undersigned,

ALLOYS MNCEDI MSUTHU

do hereby make oath and say:

- I am an adult ex-gold mineworker residing at Mthumasi Administrative Area,
 Ramafole Location, Mount Fletcher.
- I worked underground on the following mines in the following positions during the dates set forth below:

(2) Dates	(3) Title/Position
1977 – 1978	Labourer
1978 – 2009	Drill Operator
	1977 – 1978

- I attach hereto marked "AMM1" a copy of my record of service, as captured by TEBA Limited.
- 4. As a drill operator, I operated a drilling machine to drill holes into the sides of the tunnels in which dynamite was placed for blasting.

- 5. During my time working for these mining companies, I was frequently and regularly exposed to silica dust released during day-to-day mining activities. This exposure occurred from working with and near activities such as drilling, blasting, and crushing of ore and rock.
- On a daily basis, I and my co-workers breathed silica dust in the following areas of the mines: in the shaft (particularly when the ventilation system failed and the dust created underground entered the shaft) and in the tipping station where the waste rock and ore were loaded into loco carriages to be transported to the surface. Blasting would often take place during a shift, creating large amounts of dust in the worksite underground.
- 7. I would regularly smell the dust while I was working underground and, after each shift, my work uniform was covered in dust.
- 8. Prior to being permitted to work on the gold mines, I was medically tested for the presence of occupational lung diseases, including silicosis, and was deemed to be well and fit to work underground. Thereafter, I was examined periodically for the presence of silicosis and other occupational lung diseases.
- 9. In 2009, I was diagnosed with silicosis in the second degree through an exit medical examination conducted by my former employer (attached is a copy of the

certificate marked "AMM2" and letter from Dr NJ Cele at the Ernest Oppenheimer Hospital marked "AMM3"). I did not have silicosis prior to working on the gold mines. As a result of this diagnosis, I was retrenched. I was 55 years old at the time.

- 10. As a result of having silicosis, I suffer from shortness of breath which makes it difficult for me to perform most tasks, as even walking is difficult. I am no longer able to work to support my family or contribute to the community activities.
- 11. I have accordingly suffered the following damages:
 - 12.1 loss of earnings;
 - 12.2 medical expenses;
 - 12.3 general damages for pain, suffering, loss of amenities of life, disablement and reduced life expectancy.
- 12. I, along with thousands of other mineworkers, have contracted silicosis as a result of our employment with Respondents' mines. I am committed to vigorously prosecuting this litigation on my own and my fellow mineworkers' behalf. I intend to obtain the largest recovery for the class consistent with good faith and sound judgment.

- 13. I understand that if I am appointed as a class representative, I owe a duty to all members of the proposed class to provide fair and adequate representation. I will continue to work in good faith with my counsel to obtain a fair recovery for the class.
- 14. I will not accept any payment for serving as class representative beyond my prorata share of any recovery, except such reasonable costs and expenses (including lost wages and travel costs) directly related to the representation of the class as ordered or approved by the Court.
- 15. The contents of this affidavit, as well as the effect of signing it, have been fully explained to me in my first language, and I understand the contents hereof.

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at MARCHE on this the 27 day of November 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

COMMISSIONER OF OATHS, Full names: Bullown Juli, Address: 41 Theta Steet Metale Capacity: CS

SOUTH AFRICAN POLICE SERVICE COMMUNITY SERVICE GENTRE 2012 -11- 27 MATATIELE EASTERN CAPE

TEBA Limited

RSA Reg. No 1902/001680/06

HISTORY RECORD OF SERVICE

Surname: MSUTHU

Name(s): ALLOYS MNCEDI Current District - Code: 070

ID Number:5507015947087

Issued at:

Current Passport:

industry No: W0633466 Date of Birth: 1955/07/01 District Description: MATATIELE

District Country : SOUTH AFRICA

Education: PRIMARY SCHOOL EDUCATION Back History: Complete

Right Hand : I~01~U~~~~MIII

Left Hand : I~01~R~~~09||M|

Office Description	
Client Description	
Reference Book	
Passport	
Year Term/Date Comp/No	
Office S/N	
Reg/Date (

Office Description MATATIELE MATATIELE F90 - HARMONY GOLD GROUP F90 - HARMONY GOLD GROUP CHANGE OF OCCUPATION Client Description Passport Reference Book A3485372 43485372

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2007/05/17 2005/12/01

AIR SUPERVISOR

2009/01/21

Change Date Occupation

NELKOM DEPOT MATATIELE MATATIELE MATATIELE P30 - FREE GOLD (BAMBANANI) P30 - FREE GOLD (BAMBANANI) P30 - FREE GOLD (BAMBANANI) P30 - FREE GOLD (BAMBANANI)

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P30 - FREE GOLD (BAMBANANI)

NELKOM DEPOT P30 - FREE GOLD (BAMBANANI)

MELKOM DEPOT MATATIELE MATATIELE P30 - FREE GOLD (BAMBANANI) 305 - PRESIDENT STEYN MINE

MOUNT FLETCHER **JOUNT FLETCHER MOUNT FLETCHER** 305 - PRESIDENT STEYN MINE 305 - PRESIDENT STEYN MINE 305 - PRESIDENT STEYN MINE 305 - PRESIDENT STEYN MINE

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