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# Tug-of-war over Mpisane's cars

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SHAUWN and Sbu Mpisane would like to polish and care for their nine luxury vehicles seized by the Asset Forfeiture Unit last week rather than pay storage fees of at least R1 000 a vehicle, every day.

In an urgent application before the Pietermaritzburg High Court on Friday they also cited insecure storage facilities and asked that Trevor White be removed as the curator in the proceedings.

The matter was heard by Acting Judge Nkosi-nathi Chili while Shauwn Mpisane's bail application was under way in the Commercial Crime Court in Durban following charges she used fraudulent documents to secure contracts, valued at R140 million, from the Department of Public Works.

Judge Chili was the same justice who had granted an order which allowed property belonging to them and their companies, to the value of R140m, be placed under restraint.

In court papers Shauwn Mpisane argued that she would have to pay for transporting and moving the vehicles and that the storage costs would deplete "my estate and that of my family rapidly".

"It is not fair that I should be burdened with these costs when I have plenty of space at home to store the vehicles safely."

She said it was not in her or her family's interests to dispose of any assets simply to frustrate the legal processes under way.

Mpisane listed several reasons why the seizure of the cars infringed on her constitutional rights including that she was deprived of their use and enjoyment, that they were stored in a place "where it is not secured and protected against risk and weather elements".

She said in the current storage place the "value will depreciate fast to my prejudice". She said at home the cars were kept in lock-up garages and she had a gardener who washed and cleaned them regularly to ensure that they preserved their value and did not rust.

Mpisane said she suggested the cars stay in her garage and the curator send his own security guards to guard them, but the offer was rejected.

Among the reasons provided by Mpisane for the removal of White as curator were that he had harassed her and treated her like a criminal, that he had leaked information to the media and that conversations held in private had found their way into a newspaper.

She accused him of unprofessional conduct and said she did not want to have any dealings with him as a curator. White was eager to remove her vehicles "to show off the power that he had over us and on our property", she said. She feared if the vehicles were left in the custody of White he would dispose of them even before the trial was concluded. "I am not prepared to take that risk."

This was especially so, since he stood to make millions from it. "If the allegation is that there are assets to the value of R140m, a curator can get seven percent or 10 percent of that amount."

NPA spokeswoman Natasha Ramkissoo said the NPA had until Thursday to file a response to the Mpisanes who would then have until next Tuesday to file a response, before a date was set for the matter to be heard.