

**IN THE CIVIL MAGISTRATES COURT
DISTRICT OF GEORGE, HELD AT GEORGE
REPUBLIC OF SOUTH AFRICA**

Case: 2578-14

In the matter between:

Lara Johnstone

Applicant

And

Frode Moe

1st Respondent

Talitha Moe

2nd Respondent

Lara Johnstone Affidavit in support of: Request for Info:

I the undersigned,

LARA JOHNSTONE

do hereby make oath and say:

- [1] I am an adult member of the Radical Honoursty Ecology of Peace culture; resident in George, Southern Cape, RSA; where I run a small pedal-powered wormery business.
- [2] The facts set out herein fall within my personal knowledge, unless otherwise indicated by the context, and are to the best of my subjective knowledge true and correct.
- [3] If or when I am informed of, or become aware of any evidentiary information in this affidavit that is proven incorrect; I have no problem providing the court with my apology for informing the court of information subjectively considered to be accurate; but subsequently proven to be incorrect. Until such time; to the best of my subjective knowledge the following information is true and correct.

Respondents:

- [4] First Respondent: Frode Moe is the second husband of applicant's biological aunt (sister of applicant's biological mother); co-owner and resident at 22 Witfontein Rd, Heatherpark, George, 6539.
- [5] Second Respondent: Talitha Moe is the biological sister of applicant's biological mother, and co-owner and resident 22 Witfontein Rd, Heatherpark, George, 6539.

- [6] Frode Moe was at all times a qualified doctor, acting in his capacity as a medical expert; with alleged knowledge of legal mental health issues.
- [7] Talitha Moe was at all times, the applicants aunt; who has known the applicant since a child, known that the applicant had spent 14 years travelling the world, living in many diverse cultures, was an activist, and lived an alternative non-mainstream lifestyle, etc.

GMC: 2578-14: Lara Johnstone v Frode & Talitha Moe

- [8] On 06 January 2014 a 'corn cob' disagreement occurred between me and Frode Moe; which resulted in a 10 January email exchange and 28 January 2014 meeting with my parents to resolve the disagreement. At the 28 January 2014 meeting Frode made his first public allegations to my face about his opinions about my 'mental disorders'. The details of these events were submitted to the George Magistrates Court in Case: 2578-14: Lara Johnstone v Frode & Talitha Moe.

2578-14: WITFONTEIN BARTER EXCHANGE APPLICATION:

- [9] I attempted to resolve the 'Witfontein barter exchange' and 'mental disorder' allegation issues in dispute; in civil court; by means of requesting Frode and Talitha to apologize and withdraw their mental disorder allegations; or to provide the court with their mental disorder legal definition and evidence to support such legal definition.
- [10] On 22 May 2014 I filed a legal application: Case 2578-14: Lara Johnstone v Frode and Talitha Moe¹; requesting among other things that Frode either withdraw or apologize for his mental disorder allegations against myself; or provide evidence for them.
- [11] Frode and Talitha both refused to (a) apologize or withdraw their 'mental disorder' allegations; (b) or provide evidence for their mental disorder allegations.
- [12] On 24 May 2014 Frode emailed the Clerk to inform the clerk of among others: his decision to represent himself, and to demand a postponement of the set down date.
- [13] On 26 May 2014 I notified Frode and the Clerk that I had no objections to Frode representing himself and his request for a postponement; so that he could inform the court of his evidence for his mental disorder allegations against me; as soon as he returned from Norway in September 2014.

¹ <http://sqswans.weebly.com/gmc-2578-14-frode--talitha-moe.html>

- [14] On the set down date of 01 July 2014; Millers Inc attorney Ms. Anthony informed the court she was representing Frode and Talitha. Ms. Anthony informed the court that Frode and Talitha wanted the matter thrown out of court and struck from the roll; due to lack of jurisdiction. I stated that as far as I was aware, Frode wanted the matter postponed to enable him to represent himself; and that neither Frode, Talitha or Millers Attorneys had filed a Notice to Oppose or responding affidavit; clarifying their reasons for why they want the matter thrown out of court; or struck from the roll due to alleged lack of jurisdiction. Consequently I could not provide the court with my response until I had received their Notice to Oppose. Magistrate Essel ordered them to file a notice to oppose and supporting evidence.
- [15] On 02nd July 2014 Millers Attorneys filed a Notice to Oppose and dismiss the application with costs.
- [16] On 04 July 2014; Millers Attorneys filed a Notice in Terms of Rule 55(g)(iii); stating the application should be struck from the roll; because it did not comply with provisions of Rule 63, Rule 55(1)(a) and (e).
- [17] On 05 July 2014, I emailed Millers Attorneys to provide them with my layman's research of the text of Rule 63, Rule 55(1)(a) and (e); requesting that Millers Attorneys confirm my layman's text of the rules; as the accurate text they were relying upon; so that I could respond to their arguments.
- [18] There was no response from Millers Attorneys.
- [19] On 08 July 2014, Millers requested the matter be struck from the roll; based upon their Rule 55(1) notice to oppose; while refusing to provide the text for their arguments. Magistrate Essel suggested that I should refile the matter with the High Court.
- [20] On 9 July 2014, I filed a Notice in terms of Rule 17(2)² & 30³: wherein I notified the court and respondents that I had been made aware of documentation filed with the Clerk of the Court; by Frode Moe; which he had never provided to me; wherein he confirmed his 'mental disorder' allegations in writing; and his desire that the matter be postponed until his return for him to provide his evidence to the court.
- [21] I enquired from Frode and Talitha whether they wanted to:
- [21.1] withdraw these irregular filed documents; and subsequently inform Magistrate Essel of their request to reconsider his 08 July ruling based upon the accurate court record documents filed; or

² 17(2) Service shall be proved:- (a) ... where service has not been effected by the sheriff, nor in terms of subrule (14) or (15), by an affidavit of the person who effected service

³ Rule 30: Record of Proceedings in Civil Matters: (2) The court shall mark each document put in evidence and note such mark on the record.

- [21.2] authenticate these irregularly submitted documents as their authentic legal intentions (as opposed to an angry emotive outburst) in this matter; and serve them as is, or as amended with inter-cultural evidence in support of their allegations upon me; and provide me with the opportunity to respond to the issues raised by Frode Moe.
- [22] On 17 July 2014, Millers Inc had not yet answered the questions submitted to them in Applicants Notice in terms of Rule 17(2) and 30; and informed the applicant that they considered the matter as finalized and struck from the roll; and would not entertain any further correspondence regarding the application; and considered all future correspondence as 'spam'.
- [23] On 11 August 2014; I filed a Letter to Magistrate G. Essel and Justice S. Ngcobo re: Notice in terms of Rule 17(2) & 30(2).
- [24] On 26 August 2014, George Court Manager: Nyameka Wani provided me with a copy of Magistrate Essel's written response dated 12 August 2014; which states that he was relying upon Section 46(2); that Magistrates Courts have no jurisdiction in matters in which an order for specific performance are requested; without an alternative of payment of damages is sought.
- [25] Immediately thereafter and again on 02 October 2015 I provided Frode and Talitha Moe with a copy of Magistrate Essel's Section 46(2) ruling; and informed Frode and Talitha that should they continue to refuse to withdraw their 'mental disorder' allegations or apologize; I would either request permission to file an Amended Notice of Motion; or simply go straight to the High Court. Frode continues to insist that Lara has a mental disorder; and refuses to provide evidence for his allegations or withdraw them.
- [26] My interpretation of Clive and Ann's interpretations of Frode and Lee's verbal communications to Clive and Ann regarding Magistrate Essel's 12 August ruling is as follows: 'Frode and Talitha said that Millers Inc said that Magistrate Essel's 'lack of jurisdiction' ruling; means that Lara has a mental disorder whose legal applications are full of nonsense and everything Lara says and writes should just be ignored; cause the Magistrate and the High Court will throw it out of court; for being nonsense.'

Frode Moe's 'mental disorder' allegations:

- [27] 27 May 2014 09:17 PM email to Zarita van Eyk: Subject: Case 2578-14 [Annex D.A]:

"As you can see on her file to this case, her mental state is a central point from her side and even more from my side. It is correct that I have used the term mental disorder and Borderline psykosis as a diagnosis on her mental disturbance in discussions with Lara J and her parents. These statements I am willing to defend in court."

[28] 13 February 2015: 3:42 PM: Subject: SV: GMC 2578-14: Dr Frode & Talitha Moe Apology or Court Options; CC: Millers Inc. [Annex D.B]:

“I can only repeat and refer you to my letter on the 30th of December 2014. There will be no apology from my side as I am firm that you have a mental disorder and we have tried to help you all along as good as we could.”

[29] 15 November 2015 5:22 PM: Subject: RE: GMC 2578-14: Lara Johnstone v Frode & Talitha Moe: Particulars of Claim [Annex D.C]:

“I do not have any report from a specialist that you have consulted or I have consulted in this connection. I have my medical profession and I am certain in my mind that you have a mental disorder. I can assure you that I have lots of evidence to back up my opinion upon your mental health.”

[30] 15 November 2015 10:31 PM: Subject: Re: Frode Moe: Re: GMC 2578-14: Request copy of Dr. Frode Moe's alleged 'medical professional' report [Annex D.D]:

“I have been 100% sure of your mental disorder since I received an email from you at the time you were in court for the bomb threat. That email was evident to me that you had a mental disease. That email contained two of the classical symptoms of a psychosis- incoherence and defect of reality. That is why I sent an email to your father to say that you should be treated in court as a patient and not as a criminal. That was done in order to try to help you to get a fair trial. Clive did not agree with my opinion of your mental state.”

Annexures:

[A] 12 August 2014: Magistrate Essel written ruling in case 2578-14: Lara Johnstone v Frode & Talitha Moe.

[B] Correspondence to and from Frode Moe: A.01: 30 Dec 2014 1:59 PM; to A.30: A.30 07 April 2016.

[C] Correspondence to and from Clive Johnstone: B.01 15 Jan 2016 10:57 PM; to B.06: 09 April 2016 7:03 PM.

[D] 15 Nov 2015: Draft Particulars of Claim: Enclosures: A: 27 May 2014 21:17 hrs: Frode Moe correspondence to Clerk of the Court. B. 13 February 2015 15:42 hrs: Frode Moe correspondence to Plaintiff. C. 15 November 2015 17:22 PM: Frode Moe correspondence to Plaintiff. D. 15 November 2015 22:31 PM: Frode Moe correspondence to Plaintiff.

Note: If or where any internet link refers to a webpage or document on sqswans.weebly.com and/or tygae.weebly.com; those websites were hacked and the hacker deleted all the contents of those websites including the account on 24

September 2016. Correspondence to among others Weebly and San Francisco District Attorney; regarding the hacking deletion of the websites and account; are documented online at: [SQSwans PRH](#)⁴.

Signed and Sworn to at George on this the 30th of September 2016, the Deponent acknowledging that she knows and understands the contents of this Affidavit, and that she has no objection to taking the prescribed oath and that the oath is binding on her conscience.

Lara Johnstone, Pro Se
George, South Africa
Alien on Pale Blue Dot

⁴ <http://sqswans-prh.blogspot.co.za/>