

IN THE EQUALITY COURT OF SOUTH AFRICA
HELD AT THE HIGH COURT OF SOUTH AFRICA

CASE NO: EC 04/2016

In the matter between:-

GILAD GERALD STERN

First Complainant

SOUTH AFRICAN CENTRE FOR RELIGIOUS
EQUALITY AND DIVERSITY

Second Complainant

SARAH GOLDSTEIN

Third Complainant

and

SOUTH AFRICAN JEWISH BOARD OF DEPUTIES,
CAPE COUNCIL

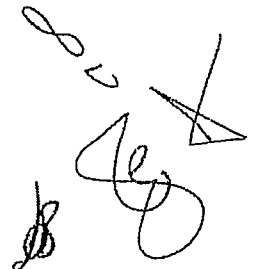
Respondent

SETTLEMENT AGREEMENT

WHEREAS the First to Third Complainants ("the Complainants") commenced proceedings in the Equality Court of South Africa against the Respondent under the abovementioned case number in terms of which the Complainants sought the relief set out in paragraph 27 of the founding affidavit of the First Complainant *jurat* 31 March 2016 ("the proceedings"), and the Respondent opposed the proceedings.

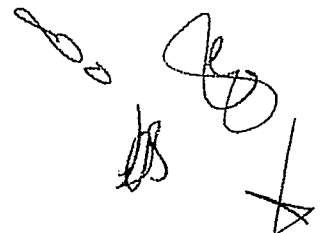
AND WHEREAS the Complainants and the Respondent are desirous of resolving the proceedings.

NOW THEREFORE, the Complainants and the Respondent agree as follows:



1. The Respondent shall re-structure future Yom Hashoah (Holocaust memorial) ceremonies so as not to exclude a woman singing solo;
2. The forthcoming Yom Hashoah ceremony will be conducted in two parts, the one following the other, and separated by an event such as candle lighting, the time of which will be publicized. The first part will be a musical/cultural/educational part, including a woman singing solo, whilst the second part will follow the traditional ceremony including at least the speakers and a choir.
3. For so long as the Board arranges the Yom Hashoah ceremony, it will determine the programme and content of the ceremony.
4. The Complainants shall file a notice of withdrawal of the proceedings within 3 (three) days of signature by them of this settlement agreement.
5. The Complainants and the Respondent agree to the publication of the following statement, the text of which has been prepared jointly by them:

"A settlement has been reached between the Cape Council of the SA Jewish Board of Deputies ("the Board") and the Applicants in the Equality Court matter relating to Kol Isha at Yom Hashoah ceremonies.

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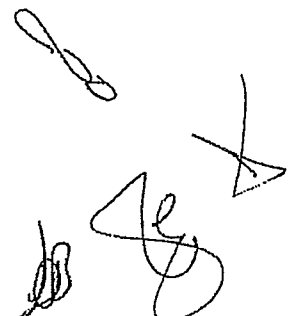
In terms of this settlement, the Board shall re-structure future ceremonies so as not to exclude a woman singing solo, while still ensuring that the event is inclusive for the entire community, including those observing Kol Isha.

The forthcoming Yom Hashoah ceremony, unlike previous ceremonies, will be conducted in two parts, the one following the other, and separated by an event such as candle lighting, the time of which will be publicized. The first part will be a musical/cultural/educational part, including a woman singing solo, whilst the second part will follow the traditional ceremony including at least the speakers and a choir. For so long as the Board arranges the ceremony, it will determine the programme and content thereof.

The Applicants have agreed to withdraw their Equality Court application."

Each party shall bear their own legal costs arising out of:

- 5.1. This settlement agreement; and
- 5.2. The proceedings.

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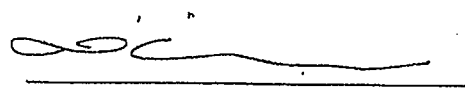
6. The above terms are in full and final settlement of the proceedings.

DATED AT CAPE TOWN THIS 1st DAY OF ~~JULY~~ ^{August} 2016

AS WITNESSES:

1. _____

2. _____




Complainants' Attorneys

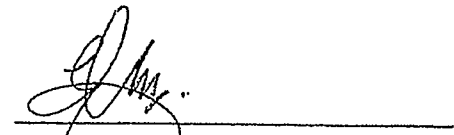
Fairbridges Wertheim Becker
Attorneys - For and on behalf of the
First to Third Complainants, duly
authorized

DATED AT CAPE TOWN THIS 11th DAY OF ~~JULY~~ ^{August} 2016

AS WITNESSES:

1.  _____

2.  _____



For and on behalf of the Respondent,
duly authorized

