

Supreme Court of Appeal of South Africa

**MEDIA SUMMARY– JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL**

From: The Registrar, Supreme Court of Appeal

Date: 26 September 2013

Status: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

**Caesarstone Sdot-Yam Ltd v The World of Marble and Granite 2000 CC (WOMAG)**

The SCA today upheld an appeal against a judgment of the Western Cape High Court and granted an order staying an action commenced in that court until the final conclusion of proceedings brought by the defendant, Caesarstone, an Israeli company, against two of the plaintiffs in the proceedings in the Western Cape, WOMAG and Mr Oren Sachs. The action in the Magistrates' Court, Haifa, Israel had commenced prior to the action in South Africa and involved the same dispute about the termination of an agency agreement. The court in Israel would have to decide the same issues that were central to the South African proceedings and once it had done so its decision would be binding on the parties to the proceedings in that country. Accordingly principles of finality in litigation, judicial economy and the avoidance of conflicting judgements in the two countries dictated that as between Caesarstone, WOMAG and Mr Sachs the South African proceedings should be stayed.

There were additional parties to the proceedings in South Africa in the form of other members of Mr Sachs' family. It would be inappropriate for the litigation in South Africa to proceed in the absence of WOMAG and Mr Sachs. Accordingly the court, in the exercise of its inherent jurisdiction, ordered that the South African action be stayed against them as well.