AFFIDAVIT

I, the undersigned

STEVEN MURRAY ANDREWS

hereby affirm and say:

- I am an adult male, 34, a qualified medical practitioner trained and registered with the Health Professions Council of South Africa to practice medicine in South Africa. I hold the qualifications of Bachelor of Medicine and Bachelor of Surgery (University of Cape Town) (MBChB), Member of the College of Family Physicians of South Africa (MCFP SA), Master of Philosophy in Bioethics (University of Cape Town). I have practiced general medicine since 1995. I currently practice at Kenilworth Medicross, 67 Rosmead Avenue, Kenilworth, Cape Town, 7708.
- I am and have been since December 1998 the general medical practitioner of Abdurrazack ('Zackie') Achmat.
- In the course of this time, and in this capacity, I have become very familiar with Zackie's medical condition and overall state of mental and physical health and wellbeing.

- I have been Zackie's general medical practitioner throughout the period before and after he commenced, in September 2003, to take antiretroviral ("ARV") medicines, and have closely observed and monitored his health through this time.
- I am unaware of any medical qualifications held by ANTHONY ROBERT BRINK, and would question his interpretation of Zackie's symptoms and signs as he has, to my knowledge, neither examined, nor been privy to examination and special investigation results in relation to Zackie's care. I can further attest that, to my knowledge, neither DR MATTHIAS RATH or any member of the DR RATH HEALTH FOUNDATION has ever examined Zackie, nor had access to my clinical notes and findings at any stage during my care of Zackie.
- I can attest that, aside from a lifelong depressive condition, predating his HIV diagnosis, and his commencement of Antiretroviral agents (well controlled on antidepressant medication), a moderate degree of peripheral neuropathy (predating his commencement of Antiretroviral agents), as well as the recent event described by Dr. Mohamed in his affidavit in this matter, (which I have read along with "ZM1"), Zackie's overall state of health is good.
- Zackie shows no signs or symptoms of HIV dementia or other opportunistic infection affecting the central nervous system. His underlying depressive

state is currently well controlled, although he has had relapses of mild to moderate depression on an exogenous basis, commensurate with dealing with a chronic illness, and not differing to depressive manifestations seen in patients with other chronic and life threatening illnesses such as diabetes or cancer. These relapses have been, in the main, short in duration, and rapidly brought under control with antidepressant medication and psychotherapy. From a medical perspective, Zackie is currently in complete control of his mental faculties, as manifest by, among other things, his excellent adherence to antiretroviral medication.

Zackie's grade 2 peripheral neuropathy (manifesting with a combination of sensory, motor and proprioceptive components) is most probably a manifestation of HIV induced peripheral nerve damage associated with stavudine induced nerve damage. This is being treated as per standard medical guidelines, initially with a substitution of Stavudine for Zidovudine (both Thymidine analogues in the Nucleoside Reverse Transcriptase-Inhibitor class of antiretroviral agents), as well as with L-acetyl carnitine, and recommended neurological pain adjuncts. This manifestation of peripheral nervous system disease is not associated in Zackie's case with any central nervous system, and, in particular, supratentorial manifestations which could compromise his mental functioning.

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- 2 Zackie's general health in the last couple of years is certainly a clear and manifest improvement on his health prior to September 2003 and the commencement of antiretroviral therapy:
 - 9.1 Significant improvements in Zackie's health have been manifest clinically in terms of marked reduction in intercurrent illnesses, reduction in frequency of manifestations of immune compromise such as herpes genitalis. In addition, he has markedly increased energy as well as decreased fatigue, increased ability to concentrate and improved muscle tone.
 - 9.2 Significant improvements have been noted in immunological functioning, both quantitatively in terms of CD4 absolute and percentage increase, as well as clinically in terms of marked reduction in intercurrent illnesses and mucosal manifestations of immune dysfunction such as oral candidial infections and oral apthous ulceration.
 - 9.3 Marked improvement has been noted in terms of HIV viral burden, with antiretroviral therapy currently suppressing viral load to undetectable levels (< 50 copies/ml)
 - 9.4 Side effects of antiretroviral medication manifesting in Zackie's case have been of mild to moderate grade, and have been managed according to Southern African and Internationally accepted guidelines, as per any other acute or chronic illness. These side

effects are currently either resolved or markedly improved, not affecting Zackie's level of daily functioning.

- The facts stated in this affidavit are within my personal knowledge and belief and are true and correct. The opinions expressed are my considered qualified opinions as the sole medical practitioner in general practice of Zackie Achmat since 1998.
- I would be very happy to assist the Court as may be necessary, and to provide the Court with full evidence of my qualifications and experience.

STEVEN MURRAY ANDREWS

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT WHICH WAS SIGNED AND SWORN TO BEFORE ME AT CAPE TOWN ON THIS **18TH DAY OF APRIL 2005** AND THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH AND CONSIDERS SAME TO BE BINDING ON HIS CONSCIENCE.

COMMISSIONER OF OATHS