

## JOHANNESBURG July 26 Sapa BOXER TELLS HOW HE KILLED KEBBLE

(SUBS/NEDS: PIC AVAILABLE ON WWW.SAPAPICS.CO.ZA)

A boxer, R2 million and two botched "assisted suicide" attempts

emerged in the Johannesburg High Court on Monday as details of mining magnate Brett Kebble's murder.

The state's first witness, called by Gauteng deputy director of

public prosecutions Dan Dakana, was professional boxer Michael Schultz who described how he shot and killed Kebble.

"I leaned out the [car] window, pointing the firearm at him...

he just lifted his shoulder, his right shoulder, and looked in front... I aimed at his head and pulled the trigger, but the weapon

did not discharge," Schultz told the court, describing the night of

September 27, 2005.

He was testifying as state witness in the trial of convicted drug trafficker Glenn Agliotti, who faced four charges, two related to Kebble's murder.

After the gun -- which Schultz kept in a kitbag -- failed to discharge the first time, he and two other accomplices turned state

witnesses, Faizel Smith and Nigel McGurk, drove off. After inspecting the weapon they returned and found Kebble in his vehicle

and tried again.

"I leaned out of the window and pointed the firearm... once again the gun did not discharge."

Schultz said he then told Kebble to wait for him. The trio drove

away for the second time. He inspected the gun. They made a U-turn

and returned to where they had left Kebble.

However Kebble had driven off. They stopped their car and saw him coming towards them. They flashed their headlights at him. He

made a U-turn and "stopped hard" next to them.

"I could see the disappointment in his face, he gave me a look like to say 'get this over with, you're putting me through hell',"

Schultz said.

He leaned out of the window and this time aimed for Kebble's body.

"I pulled the trigger, this time the gun fired. I kept firing."

Schultz could not remember how many times he shot, but recalled that one of his instructions was that Kebble should not suffer.

The three then drove away. Schultz looked back and saw Kebble's car rolling forward and hitting the pavement. They sped from the scene in Melrose Street in Johannesburg to Smith's panelbeating business, where Smith cut the gun into pieces and said he would dispose of it.

The next morning Schultz got up and went to gym.

During cross examination Agliotti's lawyer Laurence Hodes SC put it to Schultz that his client "never ever conspired with you to aid the murder of Roger Brett Kebble".

To which Schultz replied: "No, he didn't".

Hodes then asked Schultz whether he agreed that Agliotti had not "in any manner" killed the mining magnate. To which Schultz replied, "I agree".

He asked Schultz whether, to his knowledge, Agliotti had received part of the R2 million offered by Kebble to help him die.

"Not from the R2 million, no, not to my knowledge," he replied.

The only time Schultz was contacted about the murder by Agliotti was on September 22 when the killing was initially supposed to have taken place. But Schultz received a phone call from Nassif's wife with a message from him that the "meeting" was off.

He also received a call from Agliotti saying Schultz should "call the boys off".

According to the indictment John Stratton, Kebble's business associate, and Agliotti had enlisted Nassif to aid with Kebble's suicide. This was after Kebble was forced to resign as the chief executive of Western Areas Limited, JCI and Randgold and Exploration.

Schultz told the court he and Nassif were long-time friends.

Nassif knew he was a "loyal and honourable guy". He also knew that Schultz "wouldn't say anything about it".

"All my instructions came from Mr Nassif," he said, as did all his payments.

He went through with the killing after an assurance from Nassif that Kebble "would look after us".

Schultz could gain indemnity from prosecution for his role in the murder if the court finds his testimony truthful.

Agliotti faces two counts of conspiracy to commit murder, a charge of attempted murder and one of murder.

The first count is conspiracy to commit the murders of Mark Bristow, Jean Daniel Nortier, Mark Wellesley-Woods and Stephen Mildenhall. The second count is the attempted murder of Stephen Mildenhall. The last two are conspiracy to murder Kebble and Kebble's murder.

Judge Frans Kgomo adjourned the matter until Tuesday morning.