

**Registered post**  
**To all known creditors**

Our ref    A F Venter/sm  
Contact    011- 647 7020  
Direct fax    011 – 647 6140

13 September 2006

Sir/s

**Insolvent Deceased Estate: Roger Brett Kebble**  
**Master's Reference Number C.156/2006**

Please be advised that the Second Meeting of Creditors will be held before the **Master of the High Court, Cape Town, on Friday, 13 October 2006 at 09h00.**

I enclose the following:-

- 1      Copy of my Second Meeting Report in terms of section 81 of the Insolvency Act.
2.      Copy of the proposed Resolutions.

Yours faithfully

**A F Venter**  
***Joint Trustee***

## **Insolvent Deceased Estate: Roger Brett Kebble**

**Master's Reference No: C.156/2006**

Report in terms of Section 81 of the Insolvency Act Number 24 of 1936, as amended, by the Joint Trustees, Anna Francina Venter, Rainotes Bantubonke Nduna and Johannes Frederick Klopper, submitted at the Second Meeting of Creditors held before the Master of the High Court, Cape Town, on Friday , 13 October 2006 at 9h00.

---

### **Introduction:-**

Roger Brett Kebble, (Identity number 640219 5169 083) died on 27 September 2005 and the deceased estate was provisionally sequestrated on 25 April 2006 by an order of the High Court of South Africa ,Cape of Good Hope Division. A F Venter and R B Nduna were appointed Joint Provisional Trustees on 5 May 2006. The provisional order was made final on 13 June 2006.

The First Meeting of Creditors was held before the Master, Cape Town on 21 July 2006 and postponed to 25 August 2006 and thereafter to 8 September 2006 where a number of claims were proved. A F Venter, R B Nduna and J F Klopper were appointed Trustees.

The insolvent did not trade.

## Section 81(1)(a) - Assets and Liabilities

From the investigation into the affairs of the estate by the trustees, the following is the approximate financial position:-

	Notes	Amount
<b>Assets</b>		
<b>Secured Assets</b>		
Immovable properties realised	1	5 000 000
Immovable properties to be realised	2	5 750 000
<b>Unencumbered Assets</b>		
Moveable property realised		3 225 000
Moveable property to be realised (estimate)		1 000 000
Art (estimate)	3	9 398 500
Bank accounts and investments		17 571 846
Interest in companies (estimate)		8 134 666
Life insurance policy proceeds received		25 687 831
Debtors collected		11 395 666
Debtors outstanding (estimate)		10 000 000
		<u>97 163 509</u>
<b>Liabilities</b>		
<b>Secured Creditors</b>		
BOE	1	2 023 386
Investec	4	3 500 000
<b>Preferent Creditors</b>		
SARS	4	183 600 483
<b>Concurrent Creditors</b>	5	1 968 082 800
<b>Shortfall</b>		<u>(2 060 043 160)</u>
		<u>97 163 509</u>

**Notes:-**

1. The Property, Erf 56477 Cape Town situated at 5 Forest Drive, Cape Town was sold for R 3.5 million and is subject to a bond by BOE for R2 million. Erf 143 Swellendam was sold for R1.5 million and is unbonded.
2. Erf 454 Bishopscourt is valued at R 5 750 000.00 and bonded to Investec for R3.5 million.
3. The ownership of the art is the subject of a dispute.
4. Claim not proved as yet.
5. Concurrent claims proved at first meeting.

**General:** Assets referred to above having been realised, have been sold pursuant to an extension of powers granted by the Master of the High Court in terms of Sections 18 and 80 (bis) of the Insolvency Act.

**Section 81(1)(b) - Causes of the Debtors Insolvency**

The Insolvency can be ascribed to fraudulent business dealings.

**Section 81(1)(c) - Books of Account**

The Insolvent did not maintain books and records.

**Section 81(1)(d) - Contraventions**

As this is a deceased estate that has been sequestrated it would not serve any purpose to report on contraventions.

**Section 81 (1)(e) - Allowance to the Insolvent**

In the circumstances no allowance has been made to the Insolvent.

**Section 81(1)(f) - Continuation of Business**

No business has been carried on by the Trustee on behalf of the Estate.

**Section 81(1)(g) - Legal Proceedings**

We know of no legal proceedings instituted by or against the insolvent.

**Section 81(1)(h) - Immovable Property and Leases (Sections 35 and 37)**

There is nothing to report under these Sections of the Act.

**Section 81(1)(i) - Directions of Creditors**

There are no further matters relating to the administration of the estate which require the directions of creditors, other than the adoption of the Resolutions, numbers 1 to 15 which are submitted in conjunction with this Report. Creditors are requested to adopt these Resolutions to enable the administration of the estate to continue.

Signed at ..... on this ..... day of .....2006.

**AF Venter**  
*Joint Trustee*

Signed at ..... on this ..... day of .....2006.

**R B Nduna**  
*Joint Trustee*

Signed at ..... on this ..... day of .....2006.

**J F Klopper**  
*Joint Trustee*

**Insolvent Deceased Estate: Roger Brett Kebble**  
**Identity Number: 640219 5169 083**

**Master's Reference Number. C.156/2006**

Resolutions submitted at the Second Meeting of Creditors to be held before the Master of the High Court – Cape Town, on Friday, 13 October 2006 at 09h00.

---

Resolved that :-

1. The Joint Trustees' actions in that arrangements were made for banking facilities to meet the necessary administration expenses be approved and confirmed.
2. The actions of whatsoever nature of the Joint Trustees to date hereof, be and are hereby ratified and confirmed.
3. The actions of the Joint Trustees in engaging the services of attorneys and/or counsel on such matters as they found necessary in the administration of the estate to date, are hereby approved, ratified and confirmed and the costs thereof be paid out of the funds of the estate as part of the costs of administration. The Joint Trustees be and are hereby authorised in their sole and absolute discretion to:
  - 3.1. Take legal advice on any question of law affecting the administration and distribution of the estate;
  - 3.2. Institute or defend on behalf of the estate any action or other legal proceedings of a civil nature for the recovery of monies due to the estate or otherwise and subject to the provisions of any law relating to criminal procedure, institute any criminal proceedings;
  - 3.3. Investigate and institute legal proceedings for the recovery of any voidable or undue preferences, voidable dispositions of property or any other impeachable transactions of whatsoever nature and to abandon same at any time
4. The Joint Trustees be and are hereby authorised to collect any outstanding debts due to the insolvent estate, and for the purpose thereof either to sell or compound any of these debts for such sum and on such terms and conditions as they in their sole discretion may deem fit, or to abandon any claim which they in their sole discretion may deem appropriate and that all legal costs and other costs so incurred be paid out of the funds of the estate as part of the costs of administration.
5. The Joint Trustees be and are hereby authorised to employ auditors, accountants or bookkeepers to investigate and write up the books of the insolvent to the date of sequestration and to produce an audited balance sheet as at that date, and to complete any necessary Income Tax and other Government Returns and that all costs so incurred shall be costs in the insolvent estate.

6. The Joint Trustees be and are hereby authorised to dispose of the moveable assets of the Estate by public auction, private treaty or public tender and that the mode of sale for any one or more of the assets shall be determined by the Joint Trustees and that all costs incurred in relation thereto be costs of administration.
7. The Joint Trustees be and are hereby authorised and empowered in their discretion to hold an enquiry into the affairs of the Insolvent and/or any matter relating thereto, should they deem it to be in the best interest of creditors, and to employ Attorneys and/or Counsel and/or Recording Agents and/or forensic accountants, to assist in the said Enquiry, and to summons any person who they should deem necessary to be present at the Enquiry, all costs so incurred to be costs of administration. Insofar as an enquiry into the affairs of the insolvent has, to date hereof, been conducted at the request of certain of the creditors of the estate, the Joint Trustees be and are hereby authorised and instructed to reimburse the said creditors in regard to all the costs incurred by those creditors in regard to the enquiry.
8. In the event of any assets which are subject to a Mortgage Bond, Pledge or other form of security not realising sufficient to pay the claim of the secured creditors plus the pro-rata share of the costs of administration in full, then the Joint Trustees be and are hereby authorised in their discretion to sell such assets to the creditor concerned at an agreed valuation.
9. The Joint Trustees be and are hereby authorised and empowered in their sole discretion to compromise and admit any claim against the estate of whatsoever nature and howsoever arising and whether disputed or not and whether actual, contingent, prospective, conditional, unconditional, assessed, unassessed, liquidated or unliquidated as a liquidated claim in terms of Section 78(3) of the Insolvency Act No 24 of 1936, as amended, at such amount as may be agreed upon by the Joint Trustees provided that proof thereof has been tendered at a meeting of creditors.
10. The actions of the Joint Trustees and in utilising the services of a representative for the purpose of tracing assets, compiling an inventory of stock and taking possession of the assets, be and are hereby confirmed, that their remuneration plus travelling expenses, be paid by the Estate as an administration expense.
11. The Report, submitted by the Joint Trustees in terms of Section 81 of the Insolvency Act, be and are hereby approved and adopted and that the further administration of the affairs of the Estate be left to the discretion of the Joint Trustees.
12. The Joint Trustees has the right to cancel any or all Lease Agreements entered into, and that any action taken by the Joint Trustees in the cancellation of any or all Leases before the holding of this Meeting is hereby ratified and confirmed.
13. The action of the Joint Trustees and in conducting the affairs of the Insolvent, utilising the assets of the estate subsequent to sequestration, be hereby ratified and confirmed and that any losses so incurred be approved as cost of administration and borne by the estate.
14. The Joint Trustees are hereby authorised to submit for determination and/or arbitration any dispute concerning the Insolvent Estate or any claim or demand by or upon the Insolvent and that any costs so incurred to be costs of administration and paid for by the estate.

15. The Joint Trustees be and are hereby empowered to dispose of and to sign all documents to pass transfer of all the immovable property/ies registered in the name of the Insolvent in their sole and absolute discretion.

**Adopted on behalf of Creditors .....**

**Presiding Officer .....**

**Date .....**