

HIGHVELD SYNDICATION NO 15 LIMITED: REGISTRATION NUMBER (2003/031064/06)
HIGHVELD SYNDICATION NO. 16 LIMITED REGISTRATION NUMBER: (2003/031129/06)
HIGHVELD SYNDICATION NO. 17 LIMITED, REGISTRATION NUMBER: (2003/025913/06)
HIGHVELD SYNDICATION NO. 18 LIMITED, REGISTRATION NUMBER: (2003/030778/06)
HIGHVELD SYNDICATION NO. 19 LIMITED, REGISTRATION NUMBER: (2003/030144/06)
HIGHVELD SYNDICATION NO. 20 LIMITED, REGISTRATION NUMBER: (2005/029425/06)
HIGHVELD SYNDICATION NO. 21 LIMITED, REGISTRATION NUMBER: (2005/027601/06)
HIGHVELD SYNDICATION NO. 22 LIMITED, REGISTRATION NUMBER: (2005/027390/06)

(“the companies”)

BUSINESS RESCUE STATUS REPORT IN TERMS OF SECTIONS 132 OF THE COMPANIES ACT, 71 OF 2008 (“THE ACT”) READ WITH REGULATION 125 OF THE ACT FILED BY THE BUSINESS RESCUE PRACTITIONER JF KLOPPER AND A NOTICE IN TERMS OF SECTIONS 145 AND 146 OF THE ACT.

1. The companies were placed under business rescue in September 2011 and Johannes Frederick Kloppe was appointed as Business Rescue Practitioner (“BRP”) of the companies at the time.
2. A Business Rescue Plan (“the Plan”) in respect of the companies was published on 30 November 2011 and adopted by affected persons (“HS Investors”) on 14 December 2011.
3. The BRP’s March 2022 status report contained a summary of events in this matter.
4. In the BRP’s status report of 31 May it was mentioned that that the applicants in the Smith application/the DECA Case, launched an application for Orthotouch and the HS Companies to “fund” their litigation.
5. The applicants in the Smith application/ The DECA case filed their replying affidavit in the “funding application” on 4 August 2022 and on 5 August 2022 the applicants’ attorney, without informing any of the other parties addressed, a letter to the case manager in this case requesting that the setting aside application be “transferred” from the Johannesburg High Court to Pretoria.
6. During September the applicants filed proposed amendments to the notice of motion to their funding application and an application for condonation of their late filing of their replying and confirmatory affidavits. Various objections have been filed by certain of the respondents against the notice to amend the notice of motion to the funding application.
7. During October the attorneys representing the third respondent in the Smith application/ The DECA case addressed a letter to the Deputy Judge President of the North Gauteng Division taking issue with the strategy by the applicants to transfer the setting aside application to Pretoria. In this letter they made it clear to the Deputy Judge President that the applicants failed to bring

certain facts to the Deputy Judge President's attention and that the transfer of the setting aside application can only be effected pursuant to an order of court which was not obtained in this instance.

8. Furthermore, also during October, the second respondent launched an interlocutory application for an order declaring the funding application be set aside as an irregular step.



JF KLOPPER

BUSINESS RESCUE PRACTITIONER

Date: 31 October 2022