

ATTEMPTED HIJACKING OF THE HSAG

- 1. There was an attempted hijack of the intended Class Action by the Highveld Syndication Action Group ("HSAG") by Mr Nic Georgiou / Orthotouch by buying off the individual nominal Applicants, who were acting on behalf of the HSAG, to certify the HS Class Action, as well as the individual Applicants in the Application for setting aside of the Scheme of Arrangement of Orthotouch.**
- 2. The former Applicants then attempted to appoint new attorneys of record on behalf of the HSAG, which firm of attorneys thereafter tried to withdraw the Class Action in its entirety.**
- 3. The attempted withdrawal of the Application and the aim to sabotage the Class Action is not only an offence against the basic principles and very purpose of a Class Action, but also against the legal provisions, as set out in Section 38(c) of the Constitution of South Africa.**
- 4. Theron and Partners, the attorneys of the Class Action have already consulted with both senior and junior counsel for the HSAG and commenced legal steps against the former Applicants and other parties involved. The following High Court Notices (see below) were already served on the Applicants and other relevant parties.**
- 5. The former Applicants of the Class Action were afforded 10 days to withdraw their irregular notices and furthermore demanded to acknowledge their lack of authority to appoint new attorneys for the HSAG and withdrawing the Class action. Should they fail to do so, drastic steps will be taken against them, including but not limited to High Court cost orders and/or other measures.**