



*Gestig – 1960 - Founded*

# Theron & Vennote

## Partners

PROKUREURS – AKTEBESORGERE – BOEDELBEREDDERAARS – AFSLAERS  
ATTORNEYS – CONVEYANCERS – ADMINISTRATORS OF ESTATES – AUCTIONEERS

Posbus / P.O. Box 669  
STELLENBOSCH, 7599

E-pos adres / E-mail address: [info@theronlaw.co.za](mailto:info@theronlaw.co.za)  
Docex: 33, STELLENBOSCH

Telefoon / Telephone: (021) 887 7877  
Telefaks / Telefax: (021) 887 3333

Alexander III Gebou, Alexanderstraat 18 STELLENBOSCH 7600  
Alexander III Building, 18 Alexander Street STELLENBOSCH 7600

---

**Our Ref: JB THERON/jmt/H080327**  
**Your Ref: Case Number 42334/2014**

**24 April 2017**

**MESSRS FABER GOERTZ ELLIS AUSTEN INC**  
**BRYANSTON**

**(Attorneys of Third to Eleventh Respondent – i.e. Klopper & Highveld)**

**VIA E-MAIL: [diaan@fgea.co.za](mailto:diaan@fgea.co.za)**

**[jenny@fgea.co.za](mailto:jenny@fgea.co.za)**

**AND TO:**

**MESSRS: NATALIE LUBBE & ASSOCIATES**  
**PRETORIA**

**(Attorneys for First Respondent – Orthotouch Ltd)**

**VIA E-MAIL: [natalie@natalielubbe.co.za](mailto:natalie@natalielubbe.co.za)**

Dear Sirs

**RE: LIST OF NAMES - ORDER OF SPILG J**  
**CASE NUMBER 42334/2014 – JOHANNESBURG – SUBSTITUTED**  
**SERVICE**

1. We address this combined letter to you (i.e. to both firms of attorneys of Orthotouch Ltd and Hans Klopper respectively), instead of addressing two separate letters to each.

2. Although you already know, we again wish to record as follows:
  - a. In terms of Ismail J's recent order, the main application in the above matter has been reinstated.
  - b. Orthotouch Ltd's application for leave to appeal to the SCA against the order of Spilg J has been dismissed.
  - c. Hans Klopper has withdrawn his petition to the SCA for leave to appeal against Spilg J's orders.
3. With reference to the recent applications filed for leave to appeal against Ismail J's said order, we add in passing that such order, as well as the said order of Spilg J for that matter, are clearly interlocutory by nature which are not suspended pending any appeal (section 18(2) of the Supreme Courts Act 10 of 2013). This interlocutory nature is in fact reflected in the judgments and orders themselves.
4. In view of paragraph 2 above, we look forward to the urgent receipt of the list referred to in paragraph 48c of the order of Spilg J dated 25 May 2016.
5. For reference purposes and your convenience we attach hereto a copy of the Order of the Supreme Court of Appeal, dated 30 November 2016.
6. We look forward to hearing from you urgently.

**Yours faithfully**

**THERON & PARTNERS**

**PER:**

**JB THERON**

