

* ENGLISH TEXT BELOW

MAANDELIKSE NUUSBRIEF: APRIL 2018

Geagte HSAG-belegger / Mnr. / Mev. / Mej. [Customer Name]

Hierdie nuusbrief is aan u gerig as lid van die Hoëveld Sindikasie Aksiegroep (“HSAG”) op grond van u belegging in die Highveld Sindikasiemaatskappye 15-22 en/of u ondersteuning van die HSAG.

Alhoewel e-posse van tyd tot tyd uitgestuur word, is die www.hsaction.co.za webtuiste die primêre plek waar u HSAG inligting kan bekom.

Hou ons asseblief op hoogte van enige veranderinge van u persoonlike en/of kontakbesonderhede.

1. VANUIT DIE PROKUREURS SE KANTOOR

As prokureurs van die HSAG wil Theron & Vennote vir elkeen van die lojale beleggers van die HSAG van harte bedank vir hulle toewyding en onvoorwaardelike (en deurlopende) morele en finansiële ondersteuning. Die HSAG Bestuur kan u almal verseker dat hulle nie daarsonder met die prosedure om beleggers se eise te verhaal sou kon voortgaan nie.

Ons prokureurs en ons advokatuur doen alles in hul vermoë om so spoedig en suksesvol moontlik u kapitaal te verhaal en kan ons u die versekering gee dat hul personeel elke dag, en soms nag, alles in die stryd werp ten einde u beskermbare belange te beveilig.

Die HSAG kry gereeld navrae van beleggers met betrekking tot die vordering en vooruitgang wat gemaak word. Baie lede is nie op hoogte van die regsprosesse en posisie van hul regte nie. Die HSAG is tans besig om regsgeeskiedenis in die veld van klas-aksies te maak.

Soms kan regs-aksies gelyk gestel word aan die bekende sport van armdruk. Alhoewel dit soms nie lyk asof daar sigbare beweging plaasvind nie, beteken dit egter nie dat daar nie geweldige werk en inspanning in die proses ingaan nie. Soveel te meer waar daar duisende belanghebbendes is wie se regte beskerm moet word.

Danksy die groot spierkrag en ondersteuning in die HSAG-lede is ons regspan steeds in staat om die stryd voort te sit.

Die volgende hofverskynings is die lankverwagte appèlle van die Georgious teen die suksesvolle hofuitsprake van die HSAG. U regspan is baie positief oor albei appèlle wat eersdaags op 8 Mei 2018 aangehoor gaan word en sal ons volledig aan u berig na die argumentering daarvan.

DIEGENE WAT NOG NIE BYDRAES TOT DIE HSAG GEMAAK HET NIE, HET NOU 'n LAASTE GELEENTHEID OM TE HELP VERSEKER DAT DIE BESTE MOONTLIKE REGSVERTENWOORDIGING BY DIE APPËLHOF VERKRY WORD!

In hierdie maand se Nuusbrief kan u onder andere lees oor die huidige stand van litigasie, asook die nuutste poging van die HSBF, onder die hand van Mnr. Helgard Hancke, om ons die HSAG en prokureurs te diskrediteer deur 'n "klagte" met betrekking tot die FICA-wet by die Kaapse Wetsgenootskap te probeer indien.

2. NOG 'N VLAM VAN HOOP!

RGS Geldsake het oor die afgelope jare gereeld berig oor die ondergang van die Highveld Sindikase Maatskappy met gepaardgaande mislukte besigheidsredding onder leiding van Mnr. Hans Klopper asook die rol wat Mnr. Nic Georgiou se Orthotouch as wit ridder gespeel het.

RSG was onlangs oorval met boodskappe van ontstoke HS beleggers wat maandelikse rentebetalinge vanaf Orthotouch in terme van 'n A155 Reëlinskema hofbevel moet kry, nadat 'n belegger op 13 April 2018 deur die radiostasie gekontak was oor laat-betalings deur Orthotouch.

In die lig van die heftige reaksie het die radio-omroeper tydens 'n uitsending op 20 April 2018 gesê hy hoop dat die Orthotouch bestuurders, die direkteure en mense wat by Orthotouch besluite neem na dié uitsending luister, want hulle optrede is nie net "onprofessioneel" en "oneties" nie, maar bewys dit net weereens dat hulle 'n veer vir beleggers voel.

Die radio-omroeper het gevra hoekom Orthotouch nie net vir beleggers kan sê hoekom die rentebetalinge laat is nie en wat hulle gaan doen om te keer dat dit weer gebeur nie.

Hy het ook gevra hoekom Orthotouch nie net vir beleggers vroegtydig kan sê indien betalings laat gaan wees nie, want indien beleggers behoorlik ingelig word, kan hulle ten minste 'n plan maak, of hoekom kan julle nie net vir beleggers sê julle is jammer nie.

Die omroeper het melding gemaak dat beleggers reeds baie verloor het, "hulle is reeds van hulle spaargeld beroof" en "met hierdie minagtende optrede vat julle ook nou die laaste waardigheid van hulle af weg want nou moet hulle gaan bakhand staan by ander mense want julle kom nie die ooreenkomste na nie".

Die geweldige moddergooiery en persoonlike aanvalle oor die Klas-Aksie, hofsake en ander individue was ook sterk gekritiseer. Dit was beskryf as "nonsens" en dat die 18 000 beleggers wat kreppeer in die middel sit.

Die omroeper se opmerkinge strook met die algemene gevoel wat onder HSAG beleggers heers. Beleggers kan dus gerus wees dat die onreg wat teenoor hulle gepleeg was, nie ongesiens verbygaan nie en die HSAG alles in sy vermoë sal doen om sy lede se skades en verliese in die proses gely, te verhaal.

Voorheen het 'n gas op dieselfde radioprogram gevra wat het van al “die miljarde rande se beleggings in die HS Maatskappye geword”? Dit is presies wat die HSAG vra en rede waarom Mnr. Nic Georgiou en sy sakeryk deur die HSAG in die howe aangevat word.

3. WIE EN WAT IS ORTHOTOUCH?

Volgens Orthotouch se eie webblad is Orthotouch 'n “gevestigde” eiendomsbestuursmaatskappy met wortels wat dateer uit die 1970's, en wat uitsluitlik fokus op die ontwikkeling van kommersiële eiendoms-bates, insluitend hoëprofiel klein-sentrums en korporatiewe ontwikkelings.

Dit is egter baie vreemd, want volgens 'n maatskappy-nasoek was Orthotouch eers in 2010 geregistreer. Verdermeer het dit slegs twee aanliggende eiendomme ter waarde van R143 miljoen waaroor die Georgious se genoteerde maatskappy, Accelerate Security S P V (Edms) Bpk 'n verband van R72 miljoen geregistreer het!

Orthotouch roem ook oor hul indrukwekkende eiendoms-portefeulje. Hierdie “indrukwekkende” portefeulje bestaan egter slegs uit een eiendom, Barnbury Cross, wat volgens die foto's op die webblad bestaan uit tien persele.

Een van die redes wat bronne na aan Orthotouch teenoor die omroeper aangegee het as rede waarom die rentebetalinge laat is, was omdat die “huurders op hul persele nie betyds hul huurgeld betaal het nie”. HSAG lede is van mening dat daar niks indrukwekkend is van dié portefeulje nie en bloot nie Orthotouch se verduideliking koop dat daardie persele R10 miljoen per maand se rente kan oplewer nie! Die vraag bly steeds: Wáár is al die eiendomme heen, en wat het Georgiou/Orthotouch met die geld gemaak?

Die Direksie van Orthotouch wat verantwoordelikheid vir Orthotouch se sake en optrede neem, bestaan volgens Orthotouch se webtuiste uit vier persone:

- Mnr. Nicolas Nic Georgiou, wie word beskryf as 'n persoon wie se betrokkenheid en kundigheid alle aspekte van eiendomsontwikkeling en -bestuur dek. Sy benadering tot besigheid was nog altyd “hands on”. Die HSAG is egter van mening dat hy liewers “hands-off” moet wees. Mnr Georgiou is tans die enigste Uitvoerende Besturende Direkteur van Orthotouch wat straks alleen besluite neem oor beleggers se geld!
- Mnr. Panagiotis (Panos) Kleovoulou, wat het as 'n rekenmeester gewerk voordat hy by Nedfin Bank aangesluit het as 'n Korporatiewe Besigheidsontwikkelingsbeampte. Hierna het hy verskeie rolle vervul,

insluitende “Property Finance Consultant” by Investec Bank, voordat hy sy eie eiendomsmakelary en konsultasie-onderneming begin het. Mnr. Kleovoulou is tans ‘n onafhanklike, Nie-Uitvoerende Direkteur van Orthotouch.

- Mnr Hans Klopper, wat aktief betrokke is by Besigheidreddings in Suid-Afrika. Mnr Klopper het 'n BProc-graad van die Universiteit van Suid-Afrika, 'n BCom-graad van die Universiteit van Stellenbosch en 'n Sertifikaat in Forensiese Rekeningkunde en Bedrogondersoek van die Universiteit van Pretoria bekom. Hy het groot projekte onderneem, insluitende die eerste kuratorskap in Suid-Afrika ingevolge die nuwe Wet op Mediese Skemas 1998. Hy het as ontvanger vir krediteure in die saak van IGI Insurance opgetree en bygestaan by die likwidasie van Triomf Fertilizer Richards Bay (Edms) Bpk, een van die grootste likwidasies in die geskiedenis van Suid-Afrika. Mnr Klopper is die Besigheidsreddingpraktisyn asook ‘n onafhanklike, Nie-Uitvoerende Direkteur van Orthotouch. Die HSAG lede wil weet waarom Mnr Klopper met ál hierdie kundigheid en ondervinding nie meer doen om hul belange te beskerm, deursigtigheid en nakoming van die proses te bewerkstellig terwyl hy op die direksie van Orthotouch sit nie!
- Mnr Connie Myburgh, se regsloopbaan het in 1976 by Hofmeyr Prokureurs begin. Hy het daarna as direkteur aangesluit by PSG Investment Bank Holding Group. Na die samesmelting van PSG Bank en ABSA Bank het Myburgh weer die regspraktyk betree as 'n korporatiewe regsadviseur. Hy is ook 'n direkteur van verskeie maatskappye. U sal ook sy naam vanaf die Sharemax debakel waar die direkteure van ernstige aantygings beskuldig word, herken. Mnr Myburgh is tans ook ‘n onafhanklike Nie-Uitvoerende Direkteur van Orthotouch.

4. DEBIETORDERFASILITEIT

Die debietorder-vorms word aan alle HSAG-beleggers gestuur wat skriftelik aangedui het dat hulle by wyse van debietorder vanaf April 2018 wil betaal.

Indien u kwalifiseer vir 'n maandelikse debietorder, moet u asseblief so spoedig moontlik na hsagdebitorder@gmail.com u volle naam, van en identiteitsnommer stuur.

Na ontvangs van genoegsame aansoeke, sal die HSAG dokumentasie aan u stuur wat u sorgvuldig moet invul en terugstuur per kerende e-pos, ten einde die HSAG in staat te stel om u debietorder-fasiliteit te aktiveer.

5. GEBRUIK VAN KORREKTE E-POS ADRESSE EN VERWYSINGS

Die korrekte gebruik van e-pos adresse (soos vervat op ons webtuiste en e-posse) asook HSAG lede se voorletters en van, sindikasiennommers en verwysingsnommers (bv. identiteitsnommer ens.) vir alle kommunikasie, is

uiters noodsaaklik. Indien 'n belegger of enige persoon 'n epos na die verkeerde adres sou stuur sal dit daartoe lei dat daardie e-pos nie die nodige aandag geniet nie.

Bestaande e-pos adresse is as volg:

- hsactiongroup@gmail.com vir alle algemene navrae;
- hsagenquiries@gmail.com vir spesifieke navrae;
- hsagregister@gmail.com vir die registrasie en deregistrasie van nuwe lede van die klas-aksie asook onttrekking van die HSAG;
- hsagwhistle@gmail.com vir alle vertroulike inligting wat anoniem aan ons gestuur moet word;
- hsagdebitororder@gmail.com vir beleggers wat hul bydraes by wyse van debietorder wil betaal.

Besoek ook gerus ons webtuiste onder FAQ/VGV vir algemene vrae.

6. HSAG SE AMPTELIKE WHATSAPP-GROEPE

Sluit gerus aan by die HSAG se amptelike Whatsapp-groepe om nuusbrokkies of nuusflitse per WhatsApp te ontvang.

Stuur bloot u selfoonnommer; identiteitsnommer; volle naam en van, na hsactiongroup@gmail.com waarna u op die groepe gelaai sal word.

Daar kan ook direk kontak gemaak word met die Administrateurs van die onderskeie WhatsApp-groepe by 079 635 4165 (Afrikaans) en 082 450 8854 (Engels).

Die HSAG het ook 'n amptelike facebook-blad, en kan by www.facebook.com/hsaction besigtig en ge-“like” word.

7. IS ORTHOTOUCH DIE SPREEKWOORDELIKE KERKMUIS?

In die vorige Nuusbrief is berig dat die eerste betaling in terme van die 50% / 55% Skikkingsooreenkoms, wat deur mnr. Helgard Hancke namens Orthotouch geadministreer word, uitgestel is.

Ons het talle e-posse en oproepe van ontevrede beleggers ontvang wat aangedui het dat hulle weer deel van die HSAG wil word aangesien daar weereens leë beloftes deur die HSBF aan hulle gemaak was.

Ons is ook in besit van 'n skrywe van Mnr Helgard Hancke aan onskuldige beleggers (wat vas geglo het dat hy en Orthotouch in goedere trou optree) en dit onder oë gehad.

Die rede vir die nie-nakoming van die Skikkingsooreenkoms word kwansuis toegeskryf aan die litigasie-proses wat deur die HSAG en Adv Louis Bolt gevoer word.

Die enigste afleiding wat uit bogenoemde nie-nakoming gemaak kan word is dat Orthotouch, met die hulp van Mnr Helgard Hancke, weereens gepoog het om onskuldige, weerlose en verarmde beleggers te mislei met 'n leë belofte dat die beleggers inderdaad betaal gaan word. Mnr Georgiou het egter oor die jare heen bewys dat hy nie sy ooreenkomste nakom nie en dat hy mooi beloftes vir HS beleggers het met een doel voor oë, naamlik dat beleggers hul eise teen hom en sy familie afteken ten gunste van die sukkelende Orthotouch.

Ons het voorheen berig dat selfs indien die Hoogste Hof van Appèl uitspraak ten gunste van mnr. Nic Georgiou moet wees (wat ontken word), hy eerstens nog steeds verplig is om betalings ingevolge die Skikkingsooreenkoms, wat tussen die beleggers en Orthotouch bereik was, te maak en dat hy steeds verplig sal wees om rentebetalings in terme van die Art155-skema van Reëlinskema te maak.

Daar bestaan dus geen geldige rede in Mnr Helgard Hancke se e-pos oor waarom die skikkingsooreenkoms nie nagekom word nie. Die enigste redelike afleiding wat hieruit gemaak kan word, is dat Orthotouch nie in 'n finansiële posisie is om sy verantwoordelikhede na te kom nie. Dit is vir die HSAG uiters jammer dat Orthotouch/Mnr Helgard Hancke, ten spyte van die feit dat hulle geweet het dat Orthotouch nie oor die finansies beskik nie, nog steeds onskuldige beleggers aangespoor het, tot hul eie nadeel, om met Orthotouch te skik. Dat Orthotouch egter nie oor die nodige finansiële middele beskik nie, is nie te betwyfel nie.

Die vraag bly egter: Mnr Nic Georgiou/Orthotouch het nagenoeg R4.8 miljard van beleggers ontvang. Waar is die geld?

Mnr Nic Georgiou/Orthotouch het al verskeie kere gewys dat hul nie hul ooreenkomste nakom nie. Die enigste manier hoe beleggers kan vasstel wat van hul beleggings geword het, is as Mnr Nic Georgiou en Orthotouch voor die Hof gedaag word en beveel word om te betaal!

8. BEWERINGS OOR DIE NIE-NAKOMING VAN FICA-VEREISTES

In die HSBF se laaste skrywe, gedateer 3 Maart 2018, het Mnr Helgard Hancke in nog 'n verdere poging om verdeling, wantroue en konflik onder die HSAG se getroue ondersteuners te saai, verkondig dat die Kaapse Prokureursorde ("KPO") besig is met 'n ondersoek teen die prokureurs van die HSAG oor die beweerde "oortreding van FICA wetgewing". Hierdie stelling is vals en van alle waarheid ontbloot.

Die HSAG is in besit dat voormelde ook skriftelik deur die KPO bevestig is.

'n Betroubare bron, wie se identiteit nie bekend gemaak gaan word nie, het die HSAG-prokureurs gedurende November 2017 kort nadat die inligtingsessie gehou

was, verwittig dat mnr. Helgard Hancke die bron meegedeel het van sy (Hancke se) betrokkenheid by die beweerde FICA-klagte.

Die HSAG het onmiddelik met die KPO in verbinding getree, en vir aanwysings gevra in die verband. Die prokureurs van die HSAG het ook hul volle samewerking aangebied en het aangedui dat enige relevante inligting wat die KPO sou verlang, verskaf sou word.

Die nakomingsbeampte by die KPO het die prokureurs meegedeel dat 'n wysiging met betrekking tot FICA-vereistes op 2 Oktober 2017 in werking getree het en dat dit die hele regsberoep kan raak.

Die KPO het op 19 April 2018 bevestig dat die HSAG aan die FICA-vereistes voldoen.

Die sogenaamde “klagte/navrae” wat Mnr Helgard Hancke by die KPO ingedien het, was slegs 'n maand na die inwerkingtreding van die FICA-wysiging en duidelik daarop gemik om die HSAG se regsaksies te belemmer terwyl daar nog nie regsekerheid bestaan nie

Die doel van die FICA wet is om geldwassery en bedrywighede by terrorisme te bekamp. Alle gelde wat HSAG lede en ondersteuners vir die sertifikasie van die klas-aksie betaal is om hul wettige beleggings se gelde terug te kry. Die vraag wat Orthotouch / Georgious aan 'n hof moet beantwoord is: Wat het van die gelde van die beleggers geword? Voldoen Orthotouch aan die FICA vereistes?

Die KPO is tans steeds besig om die impak van die wysigingswet op die prokureursberoep te ondersoek en is daar nie sprake dat die HSAG prokureurs aangekla is of ondersoek word nie.

Die blote feit dat mnr. Hancke betrokke is, gee ons rede om te glo dat hy nie bona fide optree nie, maar bloot sy smeerveldtog teen die HSAG bestuur en sy prokureurs voortsit.

Soos voorheen berig, sal Mnr Nic Georgiou en agente nie skroom om persoonlike aanvalle op die prokureurs van die HSAG te loods nie. Die FICA-klagte was maar net nog nog 'n (onsuksesvolle) poging om die prokureurs en die beleggers te ontmoedig om voort te gaan met litigasie teen Mnr Nic Georgiou/Orthotouch.

9. HSAG-LEDE BYDRAES

Baie dankie aan elke HSAG-lid wat tot op datum hiervan getrou hul bydraes tot die HSAG klas-aksie gemaak het.

Ongelukkig is die realiteit van die saak dat slegs 'n handjie vol HSAG-lede op datum is met hul ledebydraes. Die oorgrote meerderheid HSAG-lede, wat geen betaling maak nie, plaas 'n geweldige finansiële las op die ander lede en verál op die

regspan. Die prokureurs se regskostes is steeds slegs ten volle betaal tot einde Maart 2015.

Indien HSAG-lede nie gereeld hul bydraes maak nie, kan daar moontlik op 'n meer gereelde basis opvragings gedoen word ten einde die saak verder te voer. Laasgenoemde sal uiteraard van die saak as 'n laaste opsie oorweeg word. Die HSAG-saak word namens en ten behoeve van beleggers gedryf, en dus is u ondersteuning van uiterste belang.

Indien u agterstallig is met u registrasie- en regskoste versoek ons u om dit so spoedig as moontlik op datum te bring ten einde die HSAG-prokureurs en regspan in staat te stel om die saak namens u te dryf.

Registrasie-, administrasie- en regskoste is van tyd tot tyd betaalbaar en is nie terugbetaalbaar nie.

Die bestuur het besluit om die 2018 kostes R2 000 per persoon te hou, en sal die nuutste opvraging op u staat verskyn.

10. 2018 HSAG-INLIGTINGSESSIES

Die HSAG-bestuur sal gedurende die week van 8 Mei 2018 in Bloemfontein wees vir die argumentering van die Appèlle, en is daar tydens 'n HSAG-bestuursvergadering besluit dat daar op Woensdag, 9 Mei 2018 'n Inligtingsessie in Bloemfontein gehou sal word.

Datum: 9 Mei 2018
Tyd: 10h30 vir 11uur tot 13h00
Plek: SENTRUMSAAL TE WESTERBLOEM AFTREE-OORD.
VAN HEERDENSTRAAT 22
WILGEHOF.
BLOEMFONTEIN

Indien u sou belangstel om die inligtingsessie in Bloemfontein by te woon, wil ons u vriendelik versoek op 'n e-pos met u volle name, van en identiteitsnommer te stuur na hsagregister@gmail.com ten einde u naam op 'n registerlys te voeg. Die bywoning van die Bloemfontein inligtingsessie sal bepaal of verdere sessies gehou gaan word en of die oorgrote beleggers tevrede is met die inligting wat hulle per e-pos, op die webtuiste of deur middel van whatsapp / sms ontvang.

Registrasies vir die Bloemfontein inligtingsessies sluit Vrydag, 4 Mei 2018.

Hou gerus ons webblad dop vir inligting met betrekking tot 2018 HSAG-Inligtingsessies in ander provinsies.

11. DIE HUIDIGE STAND VAN SAKE

Die datum waarop die Appèlle aangehoor gaan word, kruip al hoe nader.

Sedert die laaste Nuusbrief het die Registrateur van die Hoogste Hof van Appèl (HHA) 'n formele Kennisgewing van Plasing aan al die partye gestuur waarin die datum van 8 Mei 2018 bevestig word. Die Appèlle is dus formeel ter rolle geplaas en verskyn reeds op die HHA se Hofrol. 'n Afskrif van die Hofrol kan gekry word op die HHA se webblad by www.justice.gov.za/sca onder die opskrif: "Court Roll 2018".

Die Registrateur het ook aangedui dat Regters Navsa, Majiedt, Willis, Rogers en Waarnemende Regter Schippers sal dien as Voorsittende Beamptes oor beide Appèlle.

Soos voorheen vermeld, moet die HHA die belangrike regspraak oorweeg of 'n Nominale Applikant (dus 'n belegger wat slegs 'n "plekhouer" is, en wie duisende ander beleggers verteenwoordig) in 'n klas-aksie uit eie beweging sodanige aansoek om 'n klas-aksie te sertifiseer, asook die aansoek om Orthotouch se Reëlinskema tersyde te stel, kan terugtrek.

Indien die HHA vasstaan agter Regters Ismail en Murphy van die Gautengse Hooggeregshofbeslissing, sal die HSAG onverpoosd kan voortgaan met die aansoek om die Reëlinskema tersyde te stel en die aansoek om die klas-aksie te sertifiseer.

12. LAAT- AANSOEKE VIR REGISTRASIE BY DIE HSAG

Laat-aansoeke sal op 'n streng *ad hoc* basis oorweeg word. Die registrasievorms is op die webtuiste by www.hsaction.co.za, beskikbaar of in die alternatief kan u 'n e-pos na hsagregister@gmail.com stuur om 'n registrasievorm te versoek. Alle versoeke en voltooide registrasievorms moet aan hsagregister@gmail.com gestuur word.

13. STAAT VIR DEELNAME AAN DIE HSAG

Vind asseblief hiertoe aangeheg u bydraestaat vir u deelname aan die HSAG.

Let asseblief op die volgende:

1. Indien geen opvraging ten aansien van registrasie-, regs- of administrasiekoste of 'n krediet op u staat verskyn nie, beteken dit dat u waarskynlik in 'n groep val wat nie geprosesseer en / of geallokeer is nie, en sal dit, indien dit onder ons aandag kom of gebring word, op 'n latere staat verskyn;
2. Die aangevraagde opvraging vir 2016-regskoste was R1 000 per sindikasie;
3. In Mei 2017 was 'n verdere opvraging vir bydrae tot regs- en administrasiekoste van R2 000 per persoon gemaak;
4. 'n Eenmalige registrasiekoste van R1 000 per sindikasie was gehef tot Oktober 2015 en daarna is dit verhoog na R1 500 per sindikasie en behoort so op u staat te verskyn;
5. In Februarie 2018/Maart 2018 was 'n verdere opvraging tot regs- en administrasiekoste van R2 000 per persoon gemaak;

6. Indien 'n staat 'n kredietbedrag toon, is u 'n geregistreerde lid van die HSAG, maar het ons nog nie u voltooide aansoekvorm ontvang nie. Geliewe die aansoekvorm af te laai vanaf ons webwerf, of rig 'n versoek aan ons daarvoor per e-pos by hsagregister@gmail.com
7. Let asseblief daarop dat die inligting op ons rekords aanvanklik verkry is vanaf aansoekvorms:
 - a. Indien u aansoekvorm gevolglik foutief, onduidelik of onvolledig is, sal u moontlik geen state of e-posse ontvang nie
 - b. Voltooi asseblief die HSAG-vraelys op "Survey Monkey", wat van tyd tot tyd op ons webtuiste geplaas word, ten einde u inligting op datum te bring, of stuur vir ons 'n e-pos na hsagregister@gmail.com
8. Klik asseblief op die e-pos skakel aan die einde van hierdie nuusbrieff om na die "Customer Zone" te gaan waar u die opvragings vir registrasie-, reghskostes en u betalings kan sien;
9. Weens die voortdurende groot hoeveelheid navrae, registrasies, wysigings van persoonlike besonderhede en allokasies, is dit moontlik dat sommige betalings en/of registrasies nie op die aangehegte Staat sal verskyn nie, maar eers op 'n latere Staat. Maak asseblief seker dat u inligting korrek is;
10. Geoutomatiseerde state sal van tyd tot tyd (gewoonlik gedurende 'n maand) uitgestuur word, maar u skakel na die "Customer Zone" sal deurentyd aktief bly en u kan ter enige tyd u betalings en transaksies daarop sien, soos wat dit geallokeer word;
11. Indien daar enige uitstaande bedrae is, word u vriendelik versoek om dit so spoedig moontlik te betaal ten einde onnodige administrasie en/of verdere kostes te verhoed. Sodanige lede wie se registrasiekostes steeds agterstallig is, loop die gevaar dat hul lidmaatskap by die HSAG opgeskort gaan word;
12. Registrasieheffings is betaalbaar op alle nuwe en agterstallige (90 dae en ouer) registrasies. Registrasiekoste beloop tans R1 500,00 per sindikasie en, indien latere registrasies toegelaat word, sal daar waarskynlik 'n verdere heffing vir registrasiekoste per sindikasie vir alle nuwe registrasies gehef word ten einde finansiële bydraes deur huidige HSAG-lede te verlig;
13. Van die einde van Februarie 2018 word persone wie se bydraes op datum betaal is met 'n totale eiswaarde wat R50 000,00 of minder tesame met 'n skriftelike versoek aan Theron & Vennote, kwytskeld van die 2018 administratiewe- en reghskostes.

NB: afstanddoening is nie van toepassing op vorige jare se registrasie / administrasie / reghskostes en agterstallige fooie nie en is steeds betaalbaar so gou as moontlik.

GEEN REGISTRASIE, ADMINISTRATIEWE OF REGSFOOIE IS TERUGBETAALBAAR NIE.

14. Deelname aan die HSAG is algeheel vrywillig, maar sal persone wat nie aan die HSAG behoort of hul versoekte bydrae op datum hou nie, nie aanspraak kan maak op enige regte of voorregte wat getroue lede van die HSAG geniet

- nie. Persone wat hardvotig weier of versuim om ledebydraes te maak se lidmaatskap sal beëindig word;
15. Ons bedank u vir u lojale ondersteuning waarsonder die HSAG Klas-aksie nie moontlik sou wees nie;
 16. Indien u u ondersteuning en lidmaatskap van die HSAG wil staak, moet u 'n e-pos stuur na hsagregister@gmail.com stuur waarna die proses van onttrekking aan u verduidelik sal word. Geen uitsonderings sal gemaak word nie.
 17. U kan verseker staatmaak op die onverdeelde en lojale ondersteuning van die HSAG-lede en geassosieerdes;
 18. Enige spesifieke navrae kan aan hsagenquiries@gmail.com gerig word.

Vriendelike groete

HSAG-Bestuurskomitee

Kontak die HSAG en prokureurs by:

Tel: (021) 887 7877

hsactiongroup@gmail.com

* AFRIKAANSE TEKS HIERBO

MONTHLY NEWSLETTER: APRIL 2018

Dear HSAG Investor / Mr / Mrs / Ms [Customer Name]

This newsletter is addressed to you as a member of the Highveld Syndication Action Group (“HSAG”) on account of you having made an investment in the Highveld Syndication Companies 15-22 and/or support of the HSAG.

The www.hsaction.co.za website is the primary place where you will find HSAG information although emails are also sent out from time to time.

Please keep us up to date with any changes to your personal and/or contact details.

1. FROM THE LAWYER’S OFFICE

As lawyers of the HSAG, Theron & Partners would like to thank each and every loyal investor of the HSAG for their dedication and unconditional (and continuous) moral and financial support. The HSAG Management can assure all of you that they could not proceed with the process to recover investors' claims without you.

Our lawyers and our advocacy do everything in their power to recover your capital as quickly and successfully as possible, and we can give you assurance that our staff are fighting every day, and some time even nights, to protect your interests.

The HSAG regularly receives inquiries from investors regarding the progress of matters. Many members are not aware of their rights and the legal processes. The HSAG is currently making legal history in the field of class actions.

Sometimes legal procedures can be compared to the well-known sport of arm wrestling. Although there does not appear to be any visible movement, it does not mean that there isn't enormous work and effort put into the process. So much more where there are thousands of stakeholders whose rights must be protected.

Thanks to the muscle, strength and support of the HSAG members, our legal team is still able to continue the battle.

The upcoming court appearances are the long-awaited appeals of the Georgious against the successful court rulings in favour of the HSAG. Your legal team is very positive about both Appeals that will be heard on 8 May 2018 and will supply you with a full report, after the arguments.

***THOSE INVESTORS WHO HAVE NOT YET MADE THEIR CONTRIBUTIONS TO THE HSAG, NOW HAVE A VERY LAST OPPORTUNITY BEFORE THE APPEALS TO HELP ENSURE THAT WE ACQUIRE THE BEST POSSIBLE LEGAL REPRESENTATION IS AT THE SUPREME COURT OF APPEAL!**

In this month's Newsletter you can read, amongst other things, about the current state of litigation affairs, as well as the latest attempt by the HSIF, under the authority of Mr. Helgard Hancke, to discredit the HSAG Steering Committee, the HSAG Lawyers, by laying a "complaint" with the Cape Law Society regarding the FICA Act.

2. ANOTHER SPARK OF HOPE!

Radio **RSG** Geldsake (Moneymatters) has regularly reported on the downturn of the Highveld Syndication Companies and failed business rescue led by Mr. Hans Klopper as well as the role that Orthotouch's Mr. Nic Georgiou played, as the knight in shining armour.

Radio RSG was recently flooded with messages from disgruntled HS investors who have not received their monthly interest payments from Orthotouch in terms of the SoA155 Court Order after an investor who was contacted by the radio station on 13 April 2018, spoke about the issue regarding late interest payments.

In the light of the vehement reaction, the radio announcer said during a broadcast on 20 April 2018, that he hoped the Orthotouch Directors, and people making the decisions, were listening to the broadcast because their actions are not only

"unprofessional" and "unethical", but once again prove that they do not care for investors.

The radio announcer asked the questions, why could Orthotouch not tell investors the reason interest payments were late and what they would do to prevent it from happening again?

He also asked why Orthotouch could not warn investors in advance if payments were going to be late, because if investors were properly informed, they could at least make a plan or why could they not just apologise to investors?

The announcer reported that investors have already lost a lot, "they have already been robbed of their savings" and "with this contemptuous action you are now also taking away their last bit of dignity because now they have to rely on other people, because you do not honour the agreements".

The massive mudslinging and personal attacks on the Class Action, court cases and other individuals were also strongly criticised. It was described as "nonsense" and that the 18 000 investors were caught in the middle.

The commentary of the announcer is consistent with the general feelings of HSAG investors. Investors can therefore be confident that the injustice committed against them does not go unnoticed and the HSAG will do everything possible to recover its members' losses.

Previously, a guest on the same radio programme asked what became of the "billions" invested into the HS Companies"? This is exactly what the HSAG questions and that is the reason why Mr. Nic Georgiou and his business empire are being prosecuted in the courts by the HSAG.

3. WHO AND WHAT IS ORTHOTOUCH?

According to the Orthotouch website, Orthotouch is an "established" real estate management company with roots dating back to the 1970's, focusing exclusively on the development of commercial property assets, including high-profile small-scale centres and corporate developments.

However, it is very strange because, according to a company search, Orthotouch was only registered in 2010. Furthermore, it only owns two adjacent properties to the value of R143 million whereupon a mortgage of R 72 million was registered in favour of the Georgious' listed company, Accelerate Security S P V (Pty) Ltd.

Orthotouch also boasts their impressive property portfolio. This "impressive" portfolio, however, consists only of one property, Barnbury Cross, which according to the pictures on the website consists of ten premises.

One of the reasons stated by sources close to Orthotouch to the radio show host as the reason for late interest payments, was because "the tenants did not pay their rent on time". HSAG members believe that there is nothing impressive about this portfolio

and simply do not buy Orthotouch's explanation that those sites can yield R10 million a month-interest! The question remains: Where are all the properties, and what did Georgiou / Orthotouch do with all the billions of rands that they received?

According to Orthotouch's website the Board of Orthotouch, which takes responsibility for Orthotouch's affairs and actions, consists of four people:

- Mr. Nicolas Nic Georgiou, who is described as a person whose involvement and expertise covers all aspects of property development and management. His approach to business has always been "hands on". The HSAG, however, believes that he should rather be "hands-off". Mr Georgiou is currently the only Executive Managing Director of Orthotouch who unilaterally make decisions regarding the investors' money!
- Mr. Panagiotis (Panos) Kleovoulou, who worked as an accountant before joining Nedfin Bank as a Corporate Business Development Officer. After that, he fulfilled several roles, including "Property Finance Consultant" at Investec Bank, before starting his own real estate brokerage and consulting business. Mr. Kleovoulou is currently an independent, non-executive director of Orthotouch.
- Mr Hans Klopper, who is actively involved in business rescue in South Africa. Mr Klopper has obtained a BProc degree from the University of South Africa, a BCom degree from Stellenbosch University and a Certificate in Forensic Accounting and Fraud Investigation at the University of Pretoria. He undertook major projects including the first curatorship in South Africa in terms of the new Medical Schemes Act 1998. He acted as recipient of creditors in the case of IGI Insurance and assisted by the liquidation of Triomf Fertilizer Richards Bay (Pty) Ltd, one of the largest liquidations in the history of South Africa. Mr Klopper is the Business Rescue Practitioner as well as an independent, non-executive director of Orthotouch. The HSAG members would like to know why Mr Klopper, with all his knowledge and experience, does not do more to protect their interests and ensure that the process is transparent and complied with while he is a member of the board of Orthotouch!
- Mr Connie Myburgh's legal career started at Hofmeyr Attorneys in 1976. He then joined the PSG Investment Bank Holding Group as a director. Following the merger of PSG Bank and ABSA Bank, Connie Myburgh again became involved in legal action as a corporate legal advisor. He is also a director of several companies. You will also recognize his name from his involvement with Sharemax debacle were serious allegations were made against the Directors. Mr Myburgh is currently also an independent Non-Executive Director of Orthotouch.

4. DEBIT ORDER FACILITY

The debit order forms are sent to all HSAG investors who have indicated in writing that they want to pay by debit order from April 2018.

If you qualify for a monthly debit order, please send your full name, surname and identity number to hsagdebitorder@gmail.com as soon as possible.

Upon receipt of sufficient applications, the HSAG will send you documentation that should be completed and returned by e-mail, in order to enable the HSAG to activate your debit order facility.

5. USE OF CORRECT EMAIL ADDRESSES

The correct use of e-mail addresses (as contained on our website and e-mails) as well as HSAG members' initials and surnames, syndication numbers and reference numbers (eg identity number, etc.) for all communications are essential. If an investor or any person sends an email to the wrong address, it will result in the email not receiving the necessary attention.

Email addresses are as follows:

- hsactiongroup@gmail.com for all general enquiries
- hsagenquiries@gmail.com for specific enquiries.
- hsagregister@gmail.com for the registration of new members of the class action and deregistration therefrom.
- hsagwhistle@gmail.com for all confidential information that you would like to send to us anonymously.
- hsagdebitorder@gmail.com for investors who want to make their contributions through debit orders.

You can also visit the FAQ/VGV section on our website for answers to frequently asked questions.

6. HSAG OFFICIAL WHATSAPP GROUPS

Feel free to join the HSAG's official WhatsApp Groups in order to receive News Snippets or News Flashes via WhatsApp.

Simply send your mobile number; identification number; full name and surname, to hsactiongroup@gmail.com after which you will be uploaded to the groups.

You can also contact the administrators of the respective WhatsApp groups at 079 635 4165 (Afrikaans) and 082 450 8854 (English).

The HSAG also has an official Facebook page, and can be viewed and "liked" at www.facebook.com/hsaction.

7. IS ORTHOTOUCH THE PROVERBIAL CHURCH MOUSE?

Our previous newsletter stated that the first payment in terms of the 50% / 55% Settlement Agreement, which was administrated by Mr. Helgard Hancke, on behalf of Orthotouch, was postponed.

We have received numerous e-mails and calls from dissatisfied investors who indicated that they would like to re-join the HSAG, as there were, once again, empty promises made to them by the HSIF.

We are also in possession of a letter that Mr Helgard Hancke sent to innocent investors (who believed that he and Orthotouch acted in good faith) and have taken notice of the contents thereof.

The reason for non-compliance with the Settlement Agreement is attributable to the litigation process conducted by the HSAG and Adv Louis Bolt.

The only conclusion that can be made is that Orthotouch, with the help of Mr Helgard Hancke, once again sought to deceive innocent, vulnerable and impoverished investors with a blank promise that investors will be paid. However, Mr Georgiou has proven over the years that he does not honor his agreements and that he has great promises for HS investors with one goal, namely that investors waive their claims against him and his family in favor of the struggling Orthotouch.

We have previously reported that even if the Supreme Court of Appeal rule in favour of Mr. Nic Georgiou (which is denied), he is still obliged to make payments in terms of the Settlement Agreement, which was reached between investors and Orthotouch and that he will still be obliged to make interest payments in terms of the Rule155 Scheme of Arrangement Scheme. However, there is no doubt that Orthotouch does not have the necessary financial resources.

There is therefore no valid reason in Mr Helgard Hancke's e-mail about why the settlement agreements are not complied with. The only reasonable conclusion that can be made of this is that Orthotouch is not in a financial position to fulfill its responsibilities. It is highly regrettable to the HSAG that Orthotouch / Mr Helgard Hancke, despite the fact that Orthotouch did not have the finances, still spurred innocent investors, to their own disadvantage, to settle with Orthotouch.

However, the question remains: Mr Nic Georgiou / Orthotouch received about R4.8 billion from investors. Where is the money?

Mr Nic Georgiou / Orthotouch has shown several times that they do not comply with their agreements. The only way investors can determine what has become of their investments is when Mr Nic Georgiou and Orthotouch are summonsed in the Court and ordered to pay!

8. ALLEGATIONS OF NON-COMPLIANCE WITH FICA REQUIREMENTS

In the HSIF's last letter dated 3 March 2018, Mr Helgard Hancke, in another attempt to sow division, distrust and conflict amongst the HSAG's faithful supporters, announced that the Cape Attorney's Order ("CLS") engaged in an investigation against the HSAG lawyers about the alleged "violation of FICA legislation". This statement is false and void of all truth.

The HSAG is in possession of the aforementioned documentation and was also confirmed in writing by the CLS.

A reliable source, whose identity will not be disclosed, informed the HSAG attorneys in November 2017, shortly after the info sessions, that Mr. Helgard Hancke informed the source of his (Hancke's) involvement in the alleged FICA allegations.

The HSAG immediately contacted the CLS and asked for directives in this regard. The HSAG lawyers also offered their full cooperation and indicated that any relevant information that the CLS would require, would be disclosed.

The compliance official at the CLS informed the lawyers that an amendment regarding FICA requirements came into effect on 2 October 2017 and that it could affect the entire legal profession.

The CLS confirmed on 19 April 2018 that regarding the HSAG, the attorneys complied with the FICA requirements.

The so-called allegations / inquiries submitted by Mr Helgard Hancke to the CLS were only one month after implementation of the FICA amendment and clearly aimed at hindering the HSAG's legal actions while there is no legal certainty yet.

The purpose of the FICA Act is to combat money laundering and activities in terrorism. All funds paid by HSAG members and supporters go towards *inter alia* the certification of the class action and recovery of their legal investment capital.

The question that Orthotouch / Georgious must answer to a court is: What has become of the investors' money? Does Orthotouch meet the FICA requirements?

The CLS is currently investigating the impact of the amendment to the lawyer's profession and there is no question that the HSAG attorneys are being charged or investigated.

The mere fact that Mr. Hancke is involved, gives us reason to believe that he does not act bona fide, but merely continues his smear campaign against the HSAG Steering committee and its lawyers.

As previously reported, Mr Nic Georgiou and agents will not shy away from plotting personal attacks on the HSAG lawyers. The FICA allegations were just another (unsuccessful) attempt to discourage the lawyers and investors from proceeding with litigation against Mr Nic Georgiou / Orthotouch.

9. HSAG MEMBERS CONTRIBUTIONS

Many thanks to every HSAG member who until now, has faithfully made their contributions to the HSAG class action.

Unfortunately, the reality of the matter is that only a handful of HSAG members are up to date with their membership contributions. The vast majority of HSAG members who make no payment, place a huge financial burden on the other members and especially the legal team. The attorneys have only been fully paid for services rendered up until March 2015. If HSAG members do not regularly make their contributions, requests may have to be made on a frequent basis in order to continue

with the case. The latter will of course be considered as a last option. The HSAG case is run on behalf of investors, and your support is therefore, of utmost importance.

If you are in arrears with your registration and legal costs, we request that you bring them up to date as soon as possible in order to enable the HSAG lawyers and legal team to continue the case on your behalf.

Registration, administration and legal costs will be payable from time to time and are not refundable.

The HSAG Steering Committee has decided that the 2018 costs will remain R 2000 per person and the latest trust requisition will appear on your statement.

10. 2018 HSAG INFORMATION SESSIONS

The HSAG Board will be in Bloemfontein during the week of 8 May 2018 for the arguments of the Appeals, and an information session in Bloemfontein will be held on Wednesday, 9 May 2018 at a HSAG Management Meeting.

Date: 9 May 2018

Time: 10h30 for 11h00 until 13h00

**Location: CENTRUM HALL AT WESTERBLOEM RETIREMENT VILLAGE
22 VAN HEERDEN STREET
WILGEHOF
BLOEMFONTEIN**

If you would like to attend the information session in Bloemfontein, we kindly request you to send an e-mail with your full name, surname and identity number to hsagregister@gmail.com in order for your name to be added to a registration list.

The attendance of the Bloemfontein information session will determine whether further sessions will be held and whether the majority investors are satisfied with the information received by email, website or WhatsApp / SMS.

Registrations for the Bloemfontein information session closes on Friday, 4 May 2018.

Please check our website for information regarding future 2018 HSAG Information Sessions in other Provinces.

11. THE CURRENT STATE OF AFFAIRS

The date on which the Appeals will be heard is drawing nearer.

Since our last Newsletter, the Registrar of the Supreme Court of Appeals (SCA) has sent a Formal Notification of Set Down all parties confirming the date of 8 May 2018. The Appeals were therefore formally set down on the SCA's Court Role. A copy of

the Court roll can be found on the SCA'S website at www.justice.gov.za/sca and viewed under the heading: "Court Roll 2018".

The Registrar also indicated that Judges Navsa, Majiedt, Willis, Rogers and Acting Judge Schippers will serve as Presiding Officers on both Appeals.

As previously mentioned, the Supreme Court of Appeal in Bloemfontein has to adjudicate an extremely important legal question in 2018, namely whether a nominal applicant (an individual investor who is a mere "placeholder" for thousands of other investors) in a class action, can bring an application to withdraw both the application to certify the class action, as well as the application to have Orthotouch's Scheme of Arrangement set aside.

If the HHA supports Judges Ismail and Murphy of the Gauteng High Court Rulings, the HSAG will be able to proceed with the application to set aside the SoA and to certify the application for the class action, without delay.

12. LATE APPLICATIONS FOR REGISTRATION WITH THE HSAG

Late applications shall be considered strictly on an *ad hoc* basis. Registration forms are available on our website at www.hsaction.co.za or can be requested from us at hsagregister@gmail.com. All requests and completed registration forms must be sent to hsagregister@gmail.com.

13. STATEMENT FOR PARTICIPATION IN THE HSAG

Please find attached your statement for contribution in the HSAG.

Kindly take note of the following:

1. If no trust requisition regarding registration, legal or administration costs or a credit appears on your statement, it means that you are in a group which has not yet been processed and/or allocated and will the amount only reflect on a later statement.
2. The requested amount for 2016 legal costs was R1 000 per syndication.
3. In May 2017 a further requisition for a contribution towards legal and administration costs of R2 000 per person was made;
4. A once-off registration fee of R1 000 per syndication was also levied up to 2015, which then increased to R1 500 per syndication thereafter and should reflect on your statement accordingly.
5. In February 2018/ March 2018 a further requisition of R 2000 per person towards legal and administrative costs was made.

6. If a credit balance appears on your statement, it confirms that you are a registered member, but we have not received your completed application form. Kindly download same from our website or request same from hsagregister@gmail.com
7. Please be advised that the information on our records was gathered from the application forms.
 - a. If your application form is faulty, vague or incomplete, there is a possibility that you may not receive statements or emails from us.
 - b. Kindly complete the HSAG Questionnaire via Survey Monkey that is posted on our website from time to time, in order to update your information, or send an email to hsagregister@gmail.com
8. Please click on the **email link** at the bottom of the newsletter to enter the "Customer Zone" where you will see all your trust requisitions for registration and legal costs, as well as all payments made.
9. Due to the continuous high volume of enquiries, registrations, the amendment of personal information and allocations, it is possible that your payment/s and / or registration/s will not yet appear on the attached statement but rather on a later statement. Please ensure that your information is correct.
10. Automated statements will be sent out from time to time (usually monthly), but your link to the "Customer Zone" will stay active and you may therefore view your future payments and transactions as they are being allocated.
11. If there are any outstanding amounts with reference to your registration and / or legal costs, you are kindly requested to pay such outstanding balances as soon as possible to prevent unnecessary administration and/or further costs, and also to prevent such members' membership from being suspended from the HSAG.
12. Registration surcharges are payable on all new and arrear (90 days and older) registrations. Registration costs currently amount to R1 500 per syndication and, if further registrations are allowed beyond the deadline, it is probable that there will be a further requisition for registration costs per syndication for new registrations, in order to relieve the financial contributions made by our current HSAG members.
13. From the end of February 2018 persons whose contributions are paid up to date, with a total claim value of R 50 000_or less, together with a prior written request to Theron & Partners, will be exempted during 2018 from administrative -and legal costs.

NB: Waiver is not applicable for previous years registration / administration and legal costs and overdue fees are still payable as soon as possible.

NO REGISTRATION, ADMINISTRATION OR LEGAL FEES ARE REFUNDABLE..

14. Participation in the HSAG is entirely voluntarily, however, persons that do not belong to the HSAG or who are not up to date with their requested payments, will

not be able to claim any rights or privileges that faithful members of the HSAG can. Persons who persistently refuse or neglect to pay their membership contributions will have their membership suspended.

15. We thank you for your loyal support, without which the HSAG and class action would not have been possible.
16. If you wish to discontinue your support and membership of the HSAG, you must send an e-mail to hsagregister@gmail.com where after the process will be explained. No exceptions will be allowed.
17. At the same time, you can be certain of our undivided loyal support to the members and associates of the HSAG.
18. All specific enquiries must be sent to hsagenquiries@gmail.com.

Kind regards

HSAG Steering Committee

Contact the HSAG Attorneys at:

Tel: (021) 887 7877

hsactiongroup@gmail.com