

LEONARD

A T T O R N E Y S

Your ref

Our ref

Date

C LEONARD/ZC261

4 July 2018

Writer's Direct Fax Line: 086 402 2318

THERON & PARTNERS

Email: admin@theronlaw.co.za[zannection.co.za](mailto:admin@zannection.co.za)>

ATTENTION: MR J THERON

Dear Sir

DP COHEN N.O. / CERTAIN ORTHOTOUCH INVESTORS

We represent the Receiver of the Orthotouch scheme of arrangement ("the arrangement") Mr D P Cohen and write to you at his instance. This letter is addressed to you in your capacity as legal adviser to HSAG.

The purpose of this letter is to address the issues raised in the latest HSAG newsletter, and in particular allegations relating to payments which are allegedly due to known HSAG members and other investors involved in litigation with the proposer and funder of the arrangement, some inter alia seeking to collapse the arrangement.

It is common knowledge and you are aware that the financial underwriter of the arrangement, Zephan Properties (Pty) Limited ("Zephan") informed Mr Cohen that the abovementioned categories of investors would not be paid because of their apparent adversity to the arrangement. Our client, Mr Cohen, sought advice from counsel who proposed that amounts due in terms of the arrangement to the abovementioned HSAG members and the litigants still be paid but their payments be made to the trust account of an attorney (which account remains under the control of Mr Cohen) and that these amounts be held in escrow until such a time as there is an agreement or a court order directing Mr Cohen how to deal therewith.

In the latest HSAG newsletter you adopted the position that you do not agree with Zephan's refusal to pay the affected investors and you are also not in agreement with the advice that these amounts be held in escrow.

Mr Cohen has on a number of occasions stated that he acts independently of any of the persons affected by the arrangement. We are therefore instructed to request you to provide Mr Cohen with a written opinion by an Advocate with sufficient seniority so that Mr Cohen can consider and possibly reconsider his position.

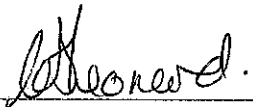
Cell 084 411 1009
Fax 011 325 2207
Email leonard.att@gmail.com
Dunkeld West Centre, 2nd floor, Office 288
Cnr Bompas & Jan Smuts Avenue, Dunkeld
PO Box 41917, Craighall 2024

We may just mention that the views of Adv. S Burger SC are not suited because of his involvement in the present litigation. Upon receipt of this opinion, Mr Cohen will reconsider his approach and in all likelihood suggest a meeting so that options can be discussed.

You must be aware that the allegations made in HSAG communications related to our client are not only untrue but defamatory and you are urged not to continue making such allegations since it serves no purpose and is not conducive to creating a convivial atmosphere within which issues can constructively be resolved.

Kindly acknowledge receipt.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Leonard", is written above a horizontal line.

LEONARD ATTORNEYS