

ENGLISH TEXT BELOW

MAANDELIKSE NUUSBRIEF: OKTOBER 2018

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

Hierdie nuusbrieff word 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. Die inligting is uitsluitlik vir die geadresseerde bedoel en as u nie enige van voormelde is nie, moet u hierdie dokument onmiddellik vernietig.

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

Die verpligting rus op u as belegger om ons op hoogte van enige veranderinge van u persoonlike en/of kontakbesonderhede.

1. UIT DIE PEN VAN 'N BELEGGER

Die HSAG neem die vrymoedigheid om 'n uittreksel uit die volgende skrywe, (na aanleiding van die radio-onderhoud wat op RSG Geldsake gevoer was) wat die HSAG regsman vanaf 'n belegger ontvang het, te publiseer aangesien soveel HSAG-beleggers dieselfde voel.

“Na aanleiding van sekere kommentaar wat op die [RSG radio] program hierbo genoem gemaak is wil ek glo dat baie beleggers wat deel is van die HSAG klas-aksie redelik mismoenig is.

Almal weet dat die eiendom gekoppel aan Sindikasie 18 ingevolge die prospektus nooit oorgedra is nie en teen 'n winskoop aan Mnr. Georgiou verkoop is terwyl hierdie eiendom 2 maande na die verkope met amper 30% in waarde gestyg het. Hierdie geld het blykbaar in die Accelerate Groep se portefeulje beland. Die woord “bedrog” klink na 'n sterk aantygning maar ek voel dat dit pas by die situasie.

Die vraag wat myns insiens deur elke belegger wat lid is van die HSAG gevra word is noodwendig of dit nog die moeite loon om met die saak voort te gaan veral gegewe die negatiewe kommentaar op Moneyweb. [Gemelde kommentaar is intussen deur Moneyweb verwyder.]

Moontlik kan u met beleggers kommunikeer oor hoe u die aangeleentheid sien en of daar lig aan die einde van die tonnel is voordat besluit om die saak gewonne te gee.”

Die HSAG verstaan dat bogenoemde skrywer (en duisende ander beleggers) gefrustreerd, kwaad en moedeloos voel.

Ons kan u egter die versekering gee dat ons deeglik bewus is van die omvang van hierdie saak en dat ons op 'n daaglikse basis met beleggers praat wat, soos die skrywer ook, “mismoenig” is of word.

Ons wil u bemoedig deur u die versekering te gee dat geen steen onaangeraak gelaat word in die HSAG-lede se kapitaal, rente en kostes vanaf Mnr Georgiou en ander terug te vorder nie. Nieteenstaande geweldige aanslae van die teenkant werp ons regspan alles in die stryd om uiteindelik suksesvol te wees. Hierdie is letterlik die Comrades van hofsake. Danksy die getroue morele ondersteuning en finansiële ondersteuning deur van ons lede, kan die regstryd nog voortgaan. Mnr Georgiou het op elke denkbare wyse, selfs oneties, probeer om die saak te ontspoor. Die laaste keer deur op 'n gewetenlose wyse maandelikse rentes van beleggers te weerhou. Verder moet lede ook onthou dat Rome nie in een dag gebou was nie. Ons lê egter elke dag die boustene daarvan.

Ons wil dit verdermeer beklemtoon dat die HSAG prokureurs geensins betrokke was met die advies wat destyds aan beleggers verleen is ten aansien van hul beleggings in die sogenaamde Highveld Sindikasie maatskappye nie, en is hulle bloot die regsvertegenwoordigers wat namens 'n groep ontevrede beleggers, waarvan u een is, optree en wie deel vorm van altesame R4.6 miljard se beleggings in gemelde maatskappye. Die bedrae is enorm en is die saak beslis nie die gewone tipe wat in ons howe aangehoor word nie.

Die doelstellings van die HSAG word duidelik en breedvoerig uiteengesit op die HSAG se amptelike webblad (www.hsaction.co.za) asook in die nuusbriewe wat die maandelikse state vergesel. Ons nooi u uit om dit noukeurig deur te lees.

Dit is nodig dat ons eerlik en logies oor die feite tot ons beskikking besin: die totale waarde van beleggings gemaak in die gemelde maatskappye beloop in die bedrag van nagenoeg R4.6 miljard. Mnr Nic Georgiou en sy entiteite moes ingevolge dokumentasie dus ongeveer R4.6 miljard vanaf die ongeveer 18 300 beleggers ontvang het sonder dat daar 'n teenwaarde (oordrag van eiendomme) vir hulle gegee is. In die huidige litigasie wat namens die beleggers gevoer word, gebruik mnr Nic Georgiou en sy entiteite kennelik 'n gedeelte van die miljarde wat ontvang was om die beleggers te beveg. Daar word dus teen die beleggers met hulle eie geld gelitigeer.

Ons is ook weldeeglik bewus van die uitdagings wat beleggers in die gesig staar. Ons en die prokureurs word daagliks oorval met oproepe en e-posse en boodskappe van beleggers wat hul posisie aan ons verduidelik. Ons kry selfs oproepe van beleggers wat dreig om selfmoord te pleeg omdat hulle finansiële geruïneer is deur die onsuksesvolle beleggings wat gemaak was.

Sedert Theron & Vennote in 2014 betrokke geraak het met die aangeleentheid, het die omstandighede waaronder die saak gedryf word voortdurend en sonder dat enige iemand dit verwag het, verander. Die HSAG kon byvoorbeeld nooit voorsien of voorkom het dat mnr Nic Georgiou die voormalige Applikante agteraf in die geheim sou skik, om sodoende die klas-aksie te probeer ontspoor nie en dat mnr Nic Georgiou en Orthotouch daarna sou Appelleer tot by die Hoogste Hof van Appèl nie. Die HSAG het ook nie voorsien of voorkom dat twee van die HSAG se vertrouelinge die klas-aksie sou verrai deur vir mnr Nic Georgiou/Orthotouch te gaan werk nie.

Die voortdurende persoonlike aanslae en smeerveldtogte vanaf Mnr Helgard Hancke se HSBF en dreigemente vanaf sekere persone (waarvan die HSAG-beleggers totaal

en al onbewus is) wat ons en ons prokureurs van die HSAG ontvang, maak dit ook nie altyd maklik om die aangeleentheid, soos beplan, te voer nie.

Daar is egter een feit wat sedert 2014 onveranderd gebly het: ons regsplan en die advokatuur se vertroue in die HSAG se saak én in die regsstelsel. Die HSAG was reeds in meer as 19 sake suksesvol teen Georgiou en ander.

Die HS-beleggers het, volgens ons mening, twee opsies:

1. 'n Belegger kan dit wat hy/sy belê het afskryf; of
2. 'n Belegger kan saam met ander beleggers veg vir dit wat hom/haar toekom.

U sal seker met ons saamstem dat opsie 1 nie ondeurdag oorweeg kan word nie! Indien HSAG lede bedank by die HSAG of met Mnr Nic Georgiou of Orthotouch skik, verloor hulle outomaties hul reg om teen Mnr Nic Georgiou, sy familie of sakeryk te eis.

Dit sal sekerlik 'n jammerte wees indien die HSAG sekere partye laat wegkom met 'n totaal van R4.8 miljard van HS-beleggers se hardverdiende geld?

Die prokureurs van die HSAG en die HSAG se advokatuur doen alles in hul vermoë om so spoedig en suksesvol moontlik beleggers se kapitaal te verhaal en kan ons u die versekering gee dat die regsplan se personeel elke dag, en soms nag, alles in die stryd werp ten einde u beskermbare belange te beveilig. Danksy die instel van die HS19 -22 sertifikasie in die Hooggeregshof het verjaring van die HSAG lede se eise daarin gestaak. HS15-18 se aansoeke word vir eers agterweë gehou totdat die tersydestelling van die Art 155 Skema materialiseer of verjaring 'n kwessie raak.

Die sukses van die HSAG hang egter nie net van die HSAG bestuur of prokureurs af nie, maar ook van elke belegger wat deel is van die HSAG.

Die skrywer van die brief hierbo, asook die ander HSAG-lede, kan verseker wees dat die HSAG regsplan u almal se belange op die hart dra.

2. AANSTEL VAN 'N SAAKBESTUURDER – HOOGGEREGSHOF, PRETORIA

Ons bevestig dat die Adjunk Regter-president, Regter AP Ledwaba, van die Hooggeregshof, Pretoria op Vrydag, 19 Oktober 2018, na aanleiding van die HSAG se versoek 'n Saakbestuurder aangewys het om na die aangeleentheid om te sien.

Regter RG Tolmay (wat as die Saakbestuurder aangewys is) is onafhanklik van enige party tot 'n geding en moet onder andere toesien dat partye tot die geding nie die proses onnodig vertraag nie.

Die HSAG is in kontak met die Registrateur van Regter Tolmay ten einde 'n dringende vergadering voor haar en al die belanghebbende partye te belê.

Die HSAG sal beleggers op hoogte hou van verdere verwickelinge rondom die vergadering met die saakbestuurder.

Die aanwysing van die Saakbestuurder is 'n baie positiewe stap wat geneem is!

3. HUIDIGE STAND VAN SAKE: VERSNELDE SERTIFIKASIE VIR HS21-22

Die versnelde sertifikasie aansoek is geensins 'n nuwe pad wat die HSAG volg nie. Dit vorm deel van die oorspronklike HS19-22 Sertifikasie aansoek wat uitgereik was. Ons het navrae van lede ontvang wat wou weet of dit 'n nuwe aksie is en versoek dat daardie lede 'n addisionele heffing betaal. 'n Bespreking van hierdie punt sal by die volgende bestuursvergadering plaasvind.

Die HSAG het in die Nuusbrief van Augustus 2018 vermeld dat die Respondente 5 Hofdae geleentheid gehad het waarin hulle aan die HSAG kennis moes gee indien hulle die Kennisgewing van Mosie, in terme waarvan die HSAG die Hof nader vir 'n Versnelde Sertifiseringsbevel vir HS21 en 22, wou opponeer.

Soos verwag, is Orthotouch en ander partye heeltemal laat met die betekening van hul kennisgewing van opponering en sal die HSAG nou voortgaan om die Aansoek op die ongeopponeerde rol te plaas vir aanhoor.

Die HSAG prokureurs het op 17 Oktober 2018 'n skrywe aan mnr Georgiou se prokureurs gerig waarin hulle versoek word om ingevolge die Hofreëls, hul Opponerende Verklaring te beteken en te liasseer..

Tot op datum hiervan het die HSAG prokureurs nog geen Opponerende Verklarings ontvang nie en sal bogenoemde optrede aan die Saakbestuurder uitgewys word.

Die HSAG regsman beoog om onder andere te vra vir aanwysings met betrekking tot die aanhoor van die Aansoek.

Die Kennisgewing van Mosie, asook die Verklaring ter ondersteuning van die Kennisgewing van Mosie en die skrywe aan die Adjunk-regter President is op die HSAG se webblad by www.hsaction.co.za geplaas en nooi ons u uit om dit deur te lees.

Indien die HSAG suksesvol is met die bogenoemde Aansoek, het mnr Nic Georgiou, sy trust en Zephan geen verskoning om nie die terugkoop-klousule na te kom nie. Ander Howe het reeds soortgelyke gevalle in die guns van HS-beleggers beslis.

HSAG-lede wat in die ander HS-maatskappye belê het, moet egter nie bekommerd wees oor hul eise nie. Hierdie eise is glad nie verlore of in gedrang nie en gaan die HSAG nog steeds voort met stappe ten einde die beleggers se eise af te dwing. U moet egter onthou dat die eisorsaak van HS 15 tot 20 op ander feite en omstandighede, nl. onder andere ook bedrog en wanvoorstellings berus, en is die roete wat met hierdie eise gevolg moet word anders as in die van die HS 21 & 22.

Bogenoemde beleggers se eise is reeds ingestel deur middel van die Sertifikasie-Aansoek en stuit hierdie Aansoek die verjaring van eise van HSAG lede.

Alhoewel die HSAG van voorneme is om die Art 155-Reëlinskema ("Reëlinskema") tersyde te stel, wou die HSAG nie onnodige koste in verband met die Reëlinskema,

inaggenome die onlangse gebeure, aangaan nie, aangesien Orthotouch in terme van die Reëlinskema in elkgeval verplig is om maandelikse rente aan HS-beleggers te betaal.

Aangesien Orthotouch die Reëlinskema minag deur nie betyds of aan al die HS-lede hul maandelikse rente betaal nie, bestaan daar egter nou geen dringende rede waarom die Reëlinskema in plek gehou moet word nie en sal die HSAG sodanige stappe neem, as wat dit geadviseer mag word, insluitende óf die Reëlinskema tersyde te stel óf 'n likwidasië aansoek, te ondersteun.

4. NIE-BETALING VAN RENTE

Die media het die afgelope paar weke berig oor Orthotouch se voortdurende versuim om rente(s) aan HSAG-beleggers te betaal. Vir diegene wat nie toegang tot die gedrukte media het nie, volg 'n onlangse berig in Rapport:

“Deur Aldie Schoeman: Rapport 21 Oktober 2018. Beleggers in die Hoëveld-sindikasies word nou al glo maande lank nie rente betaal nie. Dit blyk hul “straf” te wees omdat hulle hofsake ondersteun om hul belegging in dié mislukte maatskappye te red.

Orthotouch, die maatskappy wat veronderstel was om die beleggings in die mislukte Hoëveldsindikasies te red, weier nou om selfs die karige rente van 2% aan beleggers te betaal tensy hulle 'n dokument teken wat lui dat hulle nie die regsgedinge steun nie.

Talle beleggers het Rapport hieroor gekontak en gesê hulle het nie hul rente vir Julie, Augustus en September gekry nie.

Trouens, die uitbetaling van rente word nou as 'n “guns” bestempel. Luidens 'n brief aan beleggers sê Nic Georgiou, direkteur van Orthotouch: “Ons het besluit om jul rente van Junie 2018 te betaal as 'n vergunning, maar moedig u aan om die ‘Scheme Support’ vorm (sic) te voltooi en dit so spoedig moontlik aan ons terug te stuur aangesien geen verdere rentebetaling sal plaasvind sonder die voltooide vorm nie.”

Beleggers sê egter hulle wil nie hul “regte weg- teken” nie. Hulle steun die pogings van die Highveld Syndication Action Group (HSAG) om 'n groepsgeding te begin om hul geld terug te kry, asook adv. Louis Bolt, wat 'n aansoek gebring het om Zephan te laat likwideer. Zephan is, nes Orthotouch, een van die eiendomsmagnaat Georgiou se maatskappye. “Hulle (Orthotouch) het keer op keer bewys dat hulle nie by ooreenkomste hou nie,” sê Vera van der Westhuizen, 'n belegger.

Orthotouch het byvoorbeeld in Junie 2016 aangebied om 50% van beleggers se oorspronklike kapitaal aan hulle terug te betaal in ruil daarvoor dat hulle nie die regsgedinge steun nie.

Sowat 800 beleggers het die aanbod aanvaar, maar die ooreenkomste is nooit onderteken nie en hulle het nooit hul geld gekry nie. Jacques Theron, regsvertegenwoordiger van die HSAG, sê hulle wag nou om te kyk wat gebeur in die likwidasië-aansoek van Zephan, wat in November aangehoor word.

Orthotouch het nie op versoeke vir kommentaar gereageer nie.”

Die HSAG se posisie ten opsigte van die nie-betaling van rente(s) bly onveranderd.

Die HSAG se advokatuur het geadviseer dat HSAG-beleggers onder geen omstandighede enige vorm van Orthotouch of die HSBF moet invul nie aangesien dit beleggers se regte kan benadeel.

Indien u nie u rente ontvang nie, kan u gerus 'n e-pos stuur na hsagwhistle@gmail.com waarin u volle name, van identiteitsnommer en die sindikasies waarin u belê het vermeld.

5. HSBF SKRYWE EN PERSOONLIKE OPROEPE DEUR HANCKE

Dit het onder die HSAG-bestuur se aandag gekom dat die HSBF weereens 'n skrywe aan HS-beleggers en Finansiële Adviseurs gestuur het ten einde die HSAG-beleggers te probeer ontmoedig om die litigasie proses teen Orthotouch en ander partye, voort te sit.

Die HSAG het al in verskeie Nuusbriewe die posisie van die HSAG uiteengesit en verduidelik en nooi ons u vriendelik uit om die Nuusbriewe en Kennisgewings wat op ons webblad, by www.hsaction.co.za verskyn, te gaan lees.

In die nuutste skrywe vermeld die HSBF dat: ***“Die tyd het nou aangebreek vir beleggers om 'n keuse te maak tussen of alles te verloor of nou standpunt in te neem teen Theron en sy HSAG wat u beleggings en rente inkomste bedreig.”***

Die HSBF voer ook ondermeer aan dat: “Steun vir die artikel 155 reëlinskema is tans die enigste werkbare oplossing waardeur rente betaal word en u beleggings te sekureer.”

In die Augustus 2018 Nuusbriewe het die HSAG aan beleggers verduidelik dat daar op 26 November 2014, op 'n ex parte (eensydige) basis sonder kennis aan belanghebbende partye, 'n Hofbevel deur Georgiou se Orthotouch bekom was wat die sanksionering van 'n Art 155 Reëlinskema (“Reëlinskema”) deur die Noord-Gauteng Hooggeregshof, Johannesburg gemagtig het.

In terme van die Reëlinskema (wat tans nog geldig en afdwingbaar is) was eise van die handelskrediteure van Orthotouch en die HS Maatskappye asook die eise van HS Beleggers, wat die HS Beleggers se eise in verband met rente insluit, geherstruktureer.

U as belegger het in terme van die Reëlinskema die geleentheid gehad om sekere keuses te maak aangaande die terugbetaling van u historiese beleggings in die HS Maatskappye, gebaseer op sekere Alternatiewe keuses / Opsies.

Die realiteite van die saak (waarvan die feite voor die hand liggend is) is dat daar nog nie aan een van die Alternatiewe (of ander beloftes/ondernemings wat deur Orthotouch en ander partye gemaak is) nagekom is of ten volle nagekom is nie.

Orthotouch betaal nie eers die maandelikse rente aan HS-beleggers wat hulle veronderstel is om te doen in terme van die drie Alternatiewe nie.

Hoe kan die HSBF dus van HS-beleggers verwag om die Art 155-Reëlinskema (wat tans in plek en reeds deur 'n Hof gesanksioneer is) in plek te hou en te ondersteun as dit nie eers nou deur Orthotouch eerbiedig word nie?

Hoe kan die HSBF die litigasieproses van die HSAG blameer vir Orthotouch se versuim om nie die Art 155-Reëlinskema (wat deur Orthotouch self in werking gestel het) na te kom nie?

Die HSAG wil dit weereens baie duidelik stel dat die litigasieproses nie die oorsaak van die nie-nakoming van die Art 155-Reëlinskema sal of kan wees, nog minder sal die litigasieproses van die HSAG die HS-beleggers se kapitaal en rentes bedreig. Orthotouch se direksie het deur hul prokureurs (in teenstelling met Hancke en die vals briewe wat op Orthotouch se briefhoof uitgaan) dit onomwonde gestel dat Orthotouch rentes wil betaal, maar nie dit kan betaal indien Zephan (Mnr Georgiou se maatskappy) dit nie betaal nie. Tans is daar 'n likwidasië aansoek teen Zephan hangend en blyk dit duidelik dat Zephan nie kan betaal nie, en om geen ander rede nie.

HS-beleggers het 'n totaal van R4.6 miljard belê in die mislukte HS15-22 maatskappye, daar is eiendomme wat huidig nog verhuur word en ook eiendomme wat sedertdien verkoop is. Wat het van al die HS-beleggers se geld geword?

Die HSBF is baie vinnig om te vra wat die gevolge sal wees indien die HSAG daarin sal slaag om die Art 155-Reëlinskema tersyde te stel, maar het u al gedink wat die gevolge sal wees indien die HSBF suksesvol sou wees in hul desperate poging om die Art 155-Reëlinskema in plek te hou? Blykbaar is Mnr Nic Georgiou en Hancke nou só desperaat, dat Georgiou self briewe skryf om HSAG lede te probeer oortuig dat sy ondernemings om die kontrakte te honoreer in die wiewe gery was weens buitensporige kommissies wat hy kwansuis moes betaal. Dit word bevestig deur Mnr Georgiou gemelde brief self geskryf het, maar indien wél, is hy 'n blatante leuenaar.

Mnr Hancke bel nou ook al HSAG lede persoonlik uit desperaatheid. Wie befonds die HSBF, indien Mnr Hancke die enigste lid daarvan is? Die onteenseglike vraag word gevra: "Is die HSBF nie maar net dieselfde smeerlap wat Bell Pottinger vir die Guptas was om deur misinformasie en fopnuus onstabieleite in die HSAG te probeer veroorsaak nie?" Behalwe om 'n smeerveldtog teen die HSAG, sy bestuur en prokureurs te voer, het Hancke en die HSBF slegs een ander doel voor oë, naamlik dat HSAG lede hul eise teen Mnr Georgiou en ander ten gunste van 'n selferkende bankrot Orthotouch afteken.

Indien die Art 155-Reëlinskema in plek gehou word, ontstaan die volgende vrae:

- Orthotouch kan nie eens nou sy huidige verpligtinge teenoor die 18 300 beleggers nakom nie, hoe gaan Orthotouch binne 6 jaar (in 2024) al die HS-beleggers se kapitaal in terme van Alternatief 1 terugbetaal?
- Wanneer gaan die betalings wat HS-beleggers in terme van Alternatief 2 al reeds moes ontvang het realiseer en betaal word?
- Wanneer gaan die regte, titel en belang in en tot die HS-beleggers, wat Alternatief 3 gekies het, se eise teen die Orthotouch en die HS Maatskappye, hul ("noteringsregte"), ten opsigte van die waardes van hul eise teen die finale datum, omskep word in aandele?
- Wanneer gaan die agterstallige rentes aan HS-beleggers betaal word en watter sekuriteit het HS-beleggers dat Orthotouch nie weer rentes sal herstruktureer of weerhou nie?
- Indien die Art 155-Reëlinskema in plek gehou word, op watter stadium gaan die belanghebbende partye wat die nagenoeg R4.6 miljard van beleggers ontvang het, aan die HS-beleggers verduidelik waarheen daardie fondse is?
- Indien die Art 155-Reëlinskema in plek gehou word, op watter stadium gaan die belanghebbende partye wat die nagenoeg R4.6 miljard van beleggers ontvang het, aan die HS-beleggers verduidelik waar die gebou is wat veronderstel was om gekoop te word?

HSAG-beleggers moet asseblief die HSBF se omsendskrywes en versoek ignoreer aangesien dit nie die belange van die HS-beleggers bevorder nie.

6. 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 gestuur word aan hsagregister@gmail.com.

7. OPSKORTING VAN HSAG-LIDMAATSKAP

Die HSAG-bestuur het gemerk dat daar 'n aansienlike hoeveelheid HSAG-lede is wat nog nie hul registrasiekoste sedert 2014 betaal het / ten volle betaal het nie.

Dit is baie belangrik dat elke lid sy/haar kant moet bring ten einde die HSAG se saak te dryf.

Die HSAG-bestuur het tydens 'n vorige vergadering besluit, welke besluit verwelkom was deur baie van die opbetaalde HSAG-lede, dat HSAG-lede wie nie hul 2014 / 2015 registrasiekoste voor of op 31 Desember 2018 op datum bring nie, se lidmaatskap aan die HSAG ongelukkig onmiddellik opgeskort sal word.

Die gevolge van 'n HSAG-lid se lidmaatskap wat beëindig of opgeskort word is verreikend, en kan ondermeer beteken dat die HSAG-belegger se eis teen Orthotouch/Georgiou verjaar het. In die huidige bedeling van die klas-aksie aansoek kan dit ook beteken dat u nie weer sal deel vorm van die HSAG klas-aksie nie.

Van hierdie lede was en kan waarskynlik gedurende die volgende paar weke telefonies, elektronies of andersins gekontak word ten einde hierdie kwessie aan te spreek, maar rus die verantwoordelikheid steeds algeheel op die lid om toe te sien dat sy/haar registrasie en gelde op datum is.

Ons moedig u dus aan om so spoedig as moontlik u registrasiekoste op datum te bring én ons van sodanige bewys te voorsien ten einde die beëindig van u lidmaatskap te voorkom.

8. 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 verwysingsnummers (bv. identiteitsnommer ens.)) vir alle kommunikasie, is uiters noodsaaklik en verpligtend.

Die amptelike en bestaande e-pos adresse vir die HSAG, is as volg:

- hsactiongroup@gmail.com vir alle Algemene Navrae (Byvoorbeeld – selfoon of adres veranderinge, betalingsbewyse, kennis van lede wie gesterf het, ensovoorts);
- hsagenquiries@gmail.com vir Spesifieke Navrae (Byvoorbeeld – navrae rakende besonderhede van 'n spesifieke belegger, navrae rakende kwytstelling van 'n spesifieke belegger, ensovoorts);
- hsagregister@gmail.com vir die Registrasie en Deregistrasie van HSAG- lede;
- hsagwhistle@gmail.com vir alle Vertroulike Inligting wat anoniem aan ons gestuur moet word;
- hsagestates@gmail.com vir alle Boedel navrae.

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

Indien u nie verder enige verdere e-posse wil ontvang nie, stel ons ook asseblief skriftelik in kennis daarvan.

9. HSAG SE AMPTELIKE WHATSAPP-GROEPE

Dit is 'n groot uitdaging om spoedige kennisgewings, nuusbrokkies of belangrike boodskappe aan bykans 7 000 individue oor te dra.

Ons versoek dus HSAG-lede om aan te sluit by die HSAG se amptelike WhatsApp-groepe om kennisgewings, nuusbrokkies of nuusflitse per WhatsApp te kan ontvang.

Deur by een van die HSAG se amptelike WhatsApp-groepe aan te sluit sal u gereeld op hoogte gehou word van die nuutste verwickelinge met betrekking tot u saak.

Stuur bloot u Selfoonnommer; Identiteitsnommer; Volle Naam en Van, na hsactiongroup@gmail.com waarna u op die groepe gelaai sal word.

Direkte kontak kan ook 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, ge-“like” en kommentaar op gelewer word.

10. LEDE BYDRAES EN REGISTRASIEKOSTE

Ignoreer asseblief hierdie punt indien u registrasie- en regskostes reeds ten volle vereffen is.

Dit is van uiterste belang dat enige uitstaande registrasie- en regskostes, waarvan sommige só lank gelede as 2014 reeds uitstaande is, so spoedig moontlik op datum gebring moet word. Bykans vier jaar sedert die totstandkoming van die HSAG is dit uiters onbillik teenoor getroue lede van die HSAG dat persone wie regsverteenvoordinging verlang in 'n saak waar die gemiddelde eisbedrag R250 000.00 is, nie bereid of gewillig is om die nominale bydrae vir registrasie en/of regskostes te betaal nie.

Let asseblief op die volgende:

- i. '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
- ii. Die aangevraagde opvraging vir 2016-regskoste was R1 000 **per sindikasie**;
- iii. In Mei 2017 was 'n verdere opvraging vir bydrae tot regs- en administrasiekoste van R2 000 **per persoon** gemaak;
- iv. In Februarie 2018/Maart 2018 was 'n verdere opvraging tot regs- en administrasiekoste van R2 000 **per persoon** gemaak;
- v. 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;
- vi. 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, mag daar 'n verdere heffing vir

- registrasiekoste per sindikasie vir alle nuwe registrasies gehêf word ten einde finansiële bydraes deur huidige HSAG-lede te verlig;
- vii. 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, kwytgeskeld van die 2018 administratiewe- en regs-kostes.
 - viii. Kwytskelding **is nie van toepassing nie** op vorige jare se registrasie / administrasie / regs-kostes en agterstallige fooie nie en is steeds betaalbaar.
 - ix. **Geen registrasie, administratiewe of regsfooie is terugbetaalbaar nie.**

Die HSAG geniet die beskerming van 'n regs-span wat bestaan uit prokureurs, junior en senior advokate wat reeds 'n vêr pad gestap het om voornemende eisers onder die sambreel van die HSAG te beskerm. In die lig van die feit dat die HSAG nou voortgaan met die sertifisering van 'n klas-aksie en die proses wat nou gevolg gaan word ten einde die Art 155-Reëlinskema tersyde te stel, versoek ons dat al die HSAG-lede hul kant te bring ten einde die aangeleenthede suksesvol af te handel. Almal se samewerking word vereis.

11. STAAT VIR DEELNAME AAN DIE HSAG

Die HSAG en hul prokureurs, Theron & Vennote, wil u graag bedank vir u volgehoue en lojale ondersteuning aan die HSAG. Die HSAG-saak behoort aan elke individuele belegger, daarom wil ons u versoek om u eie saak te ondersteun ten einde die nagenoeg R4.6 miljard van Orthotouch en andere te eis.

Vind asseblief hiertoe aangeheg u bydraestaat vir u deelname aan die HSAG, let asseblief op die volgende:

- i. 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;
- ii. 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
- iii. Die HSAG-beleggers se inligting wat gebruik word was aanvanklik verkry vanaf die aansoekvorms wat HSAG-lede ingevul het. Indien u aansoekvorm gevolglik foutief, onduidelik of onvolledig is, sal u moontlik geen state of e-posse ontvang nie
- iv. Die verpligting rus op u as belegger om ons op hoogte van enige veranderinge van u persoonlike en/of kontakbesonderhede deur in te skakel of om 'n e-pos te stuur na hsagregister@gmail.com
- v. 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.

- vi. Kliek asseblief op die skakel om na die "Customer Zone" te gaan waar u die opvragings vir registrasie-, regekosies en u betalings kan sien, geoutomatiseerde state word 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.

Vriendelike groete

HSAG-Bestuurskomitee

Kontak die HSAG en prokureurs by:

Tel: (021) 887 7877

hsactiongroup@gmail.com

AFRIKAANS HIERBO

MONTHLY NEWSLETTER: OCTOBER 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. This information is exclusively meant for the addressee and if you are not any of the aforementioned, you must destroy this document immediately.

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 PEN OF AN INVESTOR

The HSAG would like to take the liberty of publishing an extract from the following letter which the HSAG legal team received from an investor (in reaction to the radio interview broadcast on RSG Geld Sake), as many HSAG investors may relate to it.

"Due to some comments made on the [RSG radio] program mentioned above, I would believe that many investors who are part of the HSAG class action are also discouraged.

Everyone is aware that the properties linked to Syndication 18 in terms of the prospectus have never been transferred and were sold to Mr Georgiou at a bargain, while these properties increased by almost 30% in value, only 2 months after the sale. This money apparently ended in the Accelerate Group's portfolio. The word "fraud" sounds harsh, but I feel that it is appropriate in this case.

The question that I would like to ask on behalf of every HSAG investor is if it is still worthwhile to proceed with this case, especially given the negative comments on Moneyweb. [Which comments has since been removed by Moneyweb.]

Could you perhaps provide investors with feedback regarding your opinion on this matter and whether there is light at the end of the tunnel."

The HSAG understands that the abovementioned writer (and thousands of other investors) feel frustrated, angry and despondent.

We can assure you that we are thoroughly aware of the magnitude of this case, we correspond with investors on a daily basis, who are or are becoming, alike the abovementioned writer, "discouraged".

We would like to encourage you by giving you the assurance that no stone is left unturned and every effort is made to claim back HSAG members' capital, interest and costs from Mr Georgiou and others. Notwithstanding the tremendous onslaughts from

the opposing side our legal team is doing everything in their power to ultimately be successful. This is literally the comrades of court cases. Thanks to the faithful moral and financial support from our members, the legal battle can proceed. Mr Georgiou has tried to derail this case in every possible, even unethical, way. The last time by withholding interest from investors. Members should also remember that Rome was not built in a day. However, we are laying bricks every day.

We would also like to emphasise that the HSAG attorneys were, at the time, not involved in the advice given to investors regarding their investments in the so-called Highveld Syndication companies and they are merely acting as the legal representatives, on behalf of a group of dissatisfied investors, of which you are one, and who form part of a total of R4.6 billion investments in aforesaid companies. These amounts are enormous and this is definitely not the normal type of court case.

The objectives of the HSAG are set out clearly and comprehensively on the HSAG official website (www.hsaction.co.za) as well as in the newsletters accompanying the monthly statements. We invite you to read through it carefully.

We have to be honest and logical about the facts at our disposal: the total value of investments made in the combined companies amounts to approximately R4.6 billion. Accordingly, Mr Nic Georgiou and his entities received approximately R4.6 billion from about 18 300 investors without a counter performance (transfer of properties) given to them. In the current litigation instituted on behalf of investors, Mr Nic Georgiou and his entities admittedly uses a portion of the billions received to oppose the investors' case. Thus, investors are litigated against with their own money.

We are also well aware of the challenges investors face. We as well as our attorneys are flooded with calls, emails and messages on a daily basis, from investors explaining their predicament. We even get calls from investors who threaten to commit suicide because they were financially ruined by the unsuccessful investments which they made.

Since Theron & Partners became involved in this matter in 2014, nobody would have predicted the constantly changing circumstances under which the case has been conducted. For example, the HSAG could never have foreseen or prevented Mr Nic Georgiou from settling with the former nominal Applicants in secret and behind the HSAG's back, in order to try to derail the class action and that Mr Nic Georgiou and Orthotouch would thereafter appeal to the Supreme Court of Appeal. The HSAG also did not foresee and could not prevent two of the HSAG's confidants from betraying the class action by accepting employment from Mr Nic Georgiou/Orthotouch.

The continuing personal attacks and smear campaigns led by Mr Helgard Hancke's HSIF and threats from certain persons (of which the HSAG investors are totally unaware) that we and the HSAG attorneys receive, do not always make it easy to proceed with this matter has planned.

However, there has been one fact that has remained unchanged since 2014: our legal team and counsel's confidence in the HSAG case and in the legal system. The HSAG have been successful in 19 cases against Georgiou and others.

The HS-invertors have, in our opinion, two options:

1. An investor can forgo that which he/she has invested; or
2. An investor can fight, with the other investors, for that which is due to him/her.

You will certainly agree that option 1 cannot be seriously considered! If HSAG members resign from the HSAG or settle with Mr Nic Georgiou or Orthotouch, they automatically lose their right to claim against Mr Nic Georgiou, his family or Business empire.

It would surely be a shame if the HSAG lets certain parties get away with a total of R4.6 billion of HS investors' hard-earned money?

The HSAG's attorneys and counsel do everything in their power to recover the investors' capital as quickly and successfully as possible and we can give you the assurance that the legal team's staff do everything in their power, every day and sometimes even nights, in order to safeguard your protectable interests. Thanks to the HS19-22 certification application instituted in the High Court the running of prescription of the investors' claims herein has been suspended. The HS15-18 Applications will for the time being be held in abeyance pending such time as the Sec 155 Scheme is set aside or prescription becomes an issue.

However, the success of the HSAG does not only depend on the HSAG's steering committee or attorneys but also on every investor who is a participant of the HSAG.

The writer of the letter above, as well as the other HSAG members, can be assured that the HSAG legal team is protecting your interests.

2. APPOINTMENT OF A CASE MANAGER – HIGH COURT, PRETORIA

We confirm that the Deputy Judge President, Judge AP Ledwaba, of the High Court, Pretoria, appointed a Case Manager, to oversee this matter, on request by the HSAG, on Friday, 19 October 2018.

Judge RG Tolmay (who is appointed as the Case Manager) is independent of any party to the proceedings and must, *inter alia*, ensure that parties do not delay the process unnecessarily.

The HSAG contacted the Registrar of Judge Tolmay in order to convene an urgent meeting with her and other interested parties.

The HSAG will keep investors informed of further developments surrounding the meeting with the case manager.

The appointment of the Case Manager is a very positive step forward!

3. CURRENT STATE OF AFFAIRS: FAST TRACK CERTIFICATION FOR HS21-22

The accelerated certification application is by no means a new approach followed by the HSAG. It forms part of the original HS19-22 Certification application that was drawn out. We received enquiries from members who would like to know if this was a

new action and requested that those members pay an additional fee. This point shall be discussed at the next steering committee meeting.

The HSAG stated in the August 2018 Newsletter that the Respondents had 5 Court Days in which to inform the HSAG if they wanted to oppose the Notice of Motion, in terms of which the HSAG approached the Court for an accelerated Certification order for HS21 & 22.

As expected, Orthotouch and other parties were completely late with the filing of their notice of intention to oppose, and the HSAG will now continue to place the Application on the unopposed roll for hearing.

The HSAG's attorneys addressed a letter to Mr Georgiou's attorneys on 17 October 2018 requesting them to serve and file their Opposition Affidavit in terms of the Rules of Court.

To date hereof, the HSAG's attorneys have not received an Opposing Affidavits, and the aforesaid failure will be submitted to the Case Manager.

The HSAG legal team intends to ask for instructions relating to the hearing of the application.

The Notice of Motion, as well as the Supporting Affidavit and the letter to the Deputy Judge President, is posted on the HSAG's website at www.hsaction.co.za and we invite you to read it.

If the HSAG is successful with the above-mentioned Application, Mr. Nic Georgiou, his trust and Zephan will have no excuse and would have to comply with the buyback clause. Other courts have already found in favour of HS investors in similar cases.

HSAG members who have invested in other HS companies should not be anxious about their claims. These claims are not lost or in jeopardy, and the HSAG will proceed with steps to enforce investors' claims. However, you must remember that the claims of HS 15 to 20 relate to other facts and circumstances, including, amongst other things, fraud and maladministration, and the course of action to be followed in this regard, is different from that of HS 21 & 22.

The abovementioned investors' claims have already been instituted by way of the Application for Certification and this Application suspends the running or prescription of HSAG members' claims.

Although the HSAG intends to set aside the Sec 155 Scheme of Arrangement ("Scheme of Arrangement"), the HSAG did not want to incur unnecessary costs regarding the Scheme of Arrangement, taking recent events in to account, seeing that Orthotouch is obliged, in terms of the Scheme of Arrangement, to make monthly interest payments to HS investors.

As a consequence of the late and non-payments of monthly interest to all HS members, Orthotouch is in contempt of the Scheme of Arrangement and there is no urgent reason why the Scheme of Arrangement should remain in effect. The HSAG

will take such steps, as may be advised, to either set aside the Scheme of Arrangement or support a liquidation application.

4. NON-PAYMENT OF INTEREST

Over the past few weeks the media has reported on Orthotouch's continued failure to pay interest to HSAG investors. For those who do not have access to printed media, herewith the recent article published in Rapport:

“By Aldie Schoeman: Rapport 21 October 2018. Investors in the highveld syndications have not received interest for months. This non-payment seems to be their "punishment" for supporting the court proceedings instituted to reclaim their investments in these failed companies.

Orthotouch, the company in charge of protecting the investments in the failed highveld syndications, is now refusing to pay investors the mere 2% interest, unless investors sign a form indicating that they do not support the legal proceedings.

Many investors have contacted Rapport regarding this issue and confirmed that they did not receive interest for July, August and September.

In fact, the last payment of interest was referred to as a "favour". In a letter to investors, Nic Georgiou, Orthotouch's director, wrote: "As a courtesy to you we have decided to pay your interest for June 2018, but encourage you to complete the Scheme Support Form (sic) and send it back to us as soon as possible as no further interest payments will be made without the completed form."

However, investors say they do not want to “sign away” their rights. They support the Highveld Syndication Action Group (HSAG) in order to institute a class action to claim back their investment, as well as adv. Louis Bolt, who applied for the liquidation of Zephan. Zephan is, like Orthotouch, one of real estate tycoon, Georgiou's, companies. "They (Orthotouch) have proved repeatedly that they do not honour agreements” so says an investor, Vera van der Westhuizen.”

For example, in June 2016, Orthotouch offered to repay 50% of investors' original capital investment as settlement of their claims.

Approximately 800 investors accepted the offer, but these agreements were never signed and investors never received such pay-out. Jacques Theron, legal representative of the HSAG, said they are waiting on the outcome of the liquidation application brought against Zephan, to be heard in November

Orthotouch did not respond to requests to comment on this matter.”

The HSAG's position regarding non-payment of interest remains the same.

The HSAG's counsel has advised that HSAG investors should under no circumstances complete any form sent to them by Orthotouch or HSIF as it may be prejudicial to their rights.

If you do not receive interest, please send an e-mail to hsagwhistle@gmail.com, with your full names, identity number and the syndications in which you have invested.

5. HSIF LETTER AND PERSONAL TELEPHONE CALLS FROM HANCKE

It has come to the HSAG steering committee's attention that the HSIF has sent another letter to HS investors and Financial Advisers in an attempt to discourage HSAG investors from continuing with legal proceedings against Orthotouch and other parties.

The HSAG has already explained and set out the HSAG's position in various Newsletters, and we invite you to read the Newsletters and Notices published on our website at www.hsaction.co.za.

In the latest HSIF letter it is stated that: “Investors must now decide between – ***loose everything or take control of your investment and stop Theron and his HSAG committee who threatens to destroy your investment.***”

The HSIF also suggests, amongst other things, that: “Support for the scheme of arrangements are the only workable solution at this moment in time to secure your investment and still receive monthly interest.”

In the August 2018 Newsletter, the HSAG explained that a court order was obtained in the North Gauteng High Court, Johannesburg, on 26 November 2014 by Georgiou's Orthotouch on an ex parte (unilateral) basis without notice to interested parties. This order also sanctioned a Sec 155 Scheme of Arrangement ("Scheme of Arrangement").

In terms of the Scheme of Arrangement (currently valid and enforceable), a restructuring of claims of the trading creditors of Orthotouch, the HS Companies and HS Investors, which includes the HS investors' claims relating to interest, was affected.

In terms of the Scheme of Arrangement, you, as an investor, have the opportunity to make certain choices regarding the repayment of your historical investments in the HS Companies based on certain Alternatives / Options in terms of the Scheme.

The fact of the matter is that not one of the options (or other promises / undertakings made by Orthotouch and other parties) has partially or fully been complied with.

Orthotouch does not even pay the monthly interest to HS investors, which they are obliged to do in terms of the three Options.

How does the HSIF expect HS investors to support the Sec 155 Scheme of Arrangement (currently in place and already sanctioned by a court) if Orthotouch does not even comply with it?

How can the HSIF blame the HSAG's legal proceedings for Orthotouch's failure to comply with the Sec 155 Scheme of Arrangement (which was implemented by Orthotouch)?

The HSAG would once again, like to make it clear that the legal proceedings will not cause the non-compliance with the Sec 155 Scheme of Arrangement, and is even less

likely to threaten the capital and interest payments of HS investors. Orthotouch's board of directors, through their attorneys (in contrast with Hancke and the fake letters that are sent out on Orthotouch's letterhead), stated unequivocally that Orthotouch would pay interest but that such payments were dependant on Zephan (Mr Georgiou's company) making such payments to Orthotouch. Currently a liquidation application is pending against Zephan and it is clear that Zephan is unable to pay, and for no other reason.

HS investors invested a total of R4.6 billion in the failed HS15-22 companies and there are properties which are currently being leased and properties that have since been sold. What happened to all the HS investors' money?

The HSIF is quick to question what the consequences will be if the HSAG succeeds in setting aside the Sec 155 Scheme of Arrangement, but have you thought of the consequences should the HSIF succeed in their desperate attempt to keep the Sec 155 Scheme of Arrangement in place? Apparently, Mr Nic Georgiou and Hancke are now so desperate that Georgiou personally, wrote letters trying to convince HSAG members that failure to honour the agreements is due to excessive commissions, which he was supposed to pay. Whether Mr Georgiou wrote the letter himself, is questionable, but if so, he is a blatant liar.

Mr Hancke is also telephoning HSAG members personally, out of sheer desperation. Who funds the HSIF if Mr Hancke is the only member? The undeniable question asked: "Is the HSIF not just the same as Bell Pottinger was for the Guptas, charged with the task of spreading misinformation and fake news in an attempt to cause uncertainty in the HSAG?" In addition to a smear campaign against the HSAG, its management and attorneys, Hancke and the HSIF has only one other purpose, namely that HSAG members renounce their claims against Mr Georgiou and others in favour of a self-proclaimed bankrupt Orthotouch.

If the Sec 155 Scheme of Arrangement remains in place, the following questions arise:

- Orthotouch is already struggling to fulfil its current obligations towards the 18 300 investors, how will it pay out the full investment capital to all HS investors' in terms of Option 1 within 6 years (in 2024)?
- When will the payments, which are already due to the HS investors in terms Option 2, be made?
- When will the value of the rights, title and interest of the "Option 3"-investors' claims against Orthotouch and the HS Companies, be converted to shares by final date ("listing rights")?
- When will the overdue interest rates be paid to HS investors and how can HS investors be sure that Orthotouch will not restructure or refrain from interest payments again?
- If the Sec 155 Scheme of Arrangement remains in place, at what stage will the interested parties who received approximately R4.6 billion from investors explain what has happened to the money?
- If the Sec 155 Scheme of Arrangement remains in place, at what stage will the interested parties who received approximately R4.6 billion from investors explain what has happened to the property which should have been purchased with those funds?

HSAG investors should ignore the HSIF's circulars and requests, as they do not promote the interests of HS investors.

6. LATE APPLICATIONS FOR REGISTRATION WITH THE HSAG

Late applications will be considered on a strictly *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.

7. SUSPENSION OF HSAG MEMBERSHIP

The HSAG Steering Committee has noted that there is a substantial amount of HSAG members who have not paid their registration costs since 2014 / not settled in full.

It is very important that every member do his/her part in order to advance the HSAG's case.

The HSAG Steering Committee decided at a previous meeting, which decision was welcomed by many of the HSAG members who have settled all their fees and contributions, that membership to the HSAG would unfortunately immediately be suspended if such members do not settle their outstanding 2014 / 2015 registration costs by 31 December 2018.

The consequences of a member of the HSAG membership being suspended has far-reaching consequences, and may mean, among other things, that the HSAG investor's claim against Orthotouch / Georgiou has prescribed. In the current scheme of the class action application, it may also mean that you will not be able to re-join the HSAG class action on a later stage.

Some of these members were and can likely be contacted telephonically, electronically or otherwise during the next couple of weeks in order to address this issue, but it remains the responsibility of the member to ensure that his / her registration fees are up to date.

We therefore encourage you to settle your registration fee as soon as possible and provide us with proof thereof in order to prevent termination of your membership.

8. USE OF CORRECT EMAIL ADDRESSES AND REFERENCES

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 (e.g. identity number, etc.) for all communications are essential.

The official and existing e-mail addresses for the HSAG are as follows:

- hsactiongroup@gmail.com for all General Enquiries; (For Example - to change contact details, Proof of Payments, Death of a Member etc)

- hsagenquiries@gmail.com for Specific Enquiries; (For Example requesting information/statements regarding a specific member, exemption queries for a specific member)
- hsagregister@gmail.com for the registration and deregistration of HSAG members;
- hsagwhistle@gmail.com for all Confidential Information that you would like to send to us anonymously or interest not paid;
- hsagestates@gmail.com for all estate related questions.

If an investor or any person sends an email to the wrong address, it will result in the email not receiving the speedy or necessary attention, if any.

If you do not wish to receive any further emails, please inform us in writing thereof.

9. HSAG'S OFFICIAL WHATSAPP GROUPS

It is a huge challenge to promptly convey notices, news snippets or important messages to almost 7 000 individuals.

We therefore request HSAG members to join the HSAG's official WhatsApp Groups to receive notices, news snippets or news flashes per WhatsApp.

By joining one of the HSAG's official WhatsApp groups, you will be informed of the latest developments regarding your case on a regular basis.

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 directly at 079 635 4165 (Afrikaans) and 082 450 8854 (English).

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

10. MEMBERSHIP CONTRIBUTIONS AND REGISTRATION COSTS

Please ignore this point if your registration and legal costs have already been settled up to date.

It is of utmost importance that any outstanding registration and legal costs, of which some are outstanding as long ago as 2014 should be settled as soon as possible. Almost four years have elapsed since the HSAG came into being and it is extremely unfair towards loyal HSAG members that persons who seek legal representation in a case where the average claim amounts to R250 000.00 are not willing to make a nominal contribution towards registration and / or legal costs.

Kindly take note of the following:

- i. 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.
- ii. The requested amount for 2016 legal costs was R1 000 **per syndication**.
- iii. In May 2017 a further requisition for a contribution towards legal and administration costs of R2 000 **per person** was made;
- iv. In February 2018/ March 2018 a further requisition of R2 000 **per person** towards legal and administrative costs was made.
- v. 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.
- vi. 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.
- vii. 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.
- viii. Exemption is **not applicable** to previous years registration / administration and legal costs and overdue fees are still payable.
- ix. **No registration, administration or legal fees are refundable.**

The HSAG enjoys the protection by way of a legal team consisting of attorneys, junior and senior advocates who have already gone a long way towards protecting the prospective plaintiffs under the umbrella of the HSAG. Everyone's cooperation is required. In light of the fact that the HSAG will proceed with the certification of a class action for HS 21-22 and the recession of the Sec 155 Scheme of Arrangement, we request that all HSAG members to give their cooperation in order to successfully complete these matters. Everyone's cooperation is required.

11. STATEMENT FOR PARTICIPATION IN THE HSAG

The HSAG and its attorneys, Theron & Partners, would like to thank you for your continued and loyal support of the HSAG. The HSAG's case belongs to each individual investor, and we would therefore like to ask you to support your own case in order to claim approximately R4.6 billion from Orthotouch and others.

Please find attached your contribution statement for participation in the HSAG, kindly take note of the following:

- vii. If no trust requisition regarding registration, legal or administration costs, or if a credit appears on your statement, it means that you are in a group which has not yet been registered, processed and/or allocated and could the amount reflect on a later statement;
- viii. 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;
- ix. The HSAG members' information on our records was gathered from the application forms completed by the HSAG members. If your application form is faulty, vague or incomplete, there is a possibility that you may not receive statements or emails from us
- x. The obligation rests on you as investor to inform us of any changes to your personal and / or contact details either telephonically or by e-mail to hsagregister@gmail.com;
- xi. 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.
- xii. 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, automated statements are sent from time to time (usually during a month), but your link to the "Customer Zone" will be continuously active, enabling you to view your payments and transactions, as it is allocated, at any time.

Kind regards

HSAG Steering Committee

Contact the HSAG Attorneys at:

Tel: (021) 887 7877

hsactiongroup@gmail.com