



SEE ENGLISH TEXT BELOW

HSAG ALGEMENE TERME EN VOORWAARDES

Hierdie inligting word aan u verskaf as lid van die Hoëveld Sindikase Aksiegroep (“HSAG”) op grond van u belegging in die Highveld Sindikasiemaatskappye 15-22 en/of u ondersteuning van die HSAG.

Hierdie inligting is vertroulik en uitsluitlik vir die geadresseerde bedoel. As u dit per ongeluk / verkeerdelik ontvang het, stel asseblief die versender by hsagenquiries@gmail.com onmiddellik in kennis en vernietig dit. U mag nie 'n einligting, of enige deel daarvan, wat foutiewelik ontvang aan enigiemand anders stuur, kopieer of openbaar nie. HSAG se webmeester gebruik antivirus-programmatuur om virusse en ander kwaadwillige kodes te voorkom. Hierdie sagteware kan egter nie so 'n kode altyd voorkom of uitwis nie. Die HSAG of sy verteenwoordigers sal nie aanspreeklik wees vir enige verlies of skade wat voortspruit uit ontvangs of gebruik van hierdie inligting of andersins, of dit voortspruit uit die nalatigheid van HSAG, sy lede, bestuurskomitee en agente of andersins nie.

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 inligting, onderhewig aan die vrywaring daarin vervat (en ook hierop van toepassing) kan bekom.

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

HSAG ALGEMENE TERME EN VOORWAARDES INHOUD:

1. OPVRAGING VIR BYDRAE TOT REGS-EN ADMINISTRASIEKOSTES – 2019
2. ALGEMENE BOEDELNAVRAE
3. OPSKORTING VAN HSAG-LIDMAATSKAP
4. GEBRUIK VAN KORREKTE E-POS ADRESSE EN VERWYSINGS
5. HSAG SE AMPTELIKE WHATSAPP-GROEPE
6. LEDE-BYDRAES EN REGISTRASIEKOSTE
7. STAAT VIR DEELNAME AAN DIE HSAG

1. OPVRAGING VIR BYDRAES TOT REGS- EN ADMINISTRASIEKOSTE – 2019

Die jaarlikse bydrae tot regs- en administrasiekoste wat gehef word bly sedert 2017 onveranderd in 'n bedrag van R2 000.00 per persoon, ongeag die hoeveelheid sindikasies waarin 'n persoon belê het. Daarby is daar sedert 2016 kwytskeldings vir beleggers met kleiner eise.

Die HSAG Bestuur het in lig van die omvang, aard en belang van die eerskomende HS 21 & 22 Aansoek vir Sertifisering in November 2019, besluit om van die dienste van 'n senior advokaat gebruik te maak om die HSAG se Applikante te

verteenwoordig. Dit sal die beste moontlike regsverteenwoordiging vir die HSAG verseker, maar sal vir voor-die-hand-liggende redes die finansiële bystand van die HSAG-lede vereis. Georgiou gebruik regdeur die litigasie proses die dienste van 'n senior advokaat en die huidige besluit is nie ligtelik oorweeg nie.

Die jaarlikse bedrag het, niesteenstaande die geweldige prysstygings die afgelope drie jaar, onveranderd gebly. Die HSAG en sy regsverteenwoordigers doen alles in hul vermoë om die saak so bekostigbaar moontlik te doen. Indien BTW, bankkoste en ander kostes afgetrek word, is die netto bedrag wat beskikbaar is veel minder en is die gemoedsrus waarvoor die HSAG beleggers betaal om te veg vir 100% van hul eise, plus rente, uiteindelik minder as R5 per dag. Die gemiddelde eise per persoon beloop ongeveer R250 000.

2. ALGEMENE BOEDELNAVRAE

Indien u algemene boedelnavrae het en die eise van HSAG-lede, is u welkom om 'n e-pos te stuur na hsagestates@gmail.com waarna die HSAG u sal bystaan.

3. OPSKORTING VAN HSAG-LIDMAATSKAP

Tydens 'n vorige vergadering het die HSAG-bestuur besluit dat HSAG-lede wie nie hul **2014 / 2015 registrasiekoste** vóór of op **31 Desember 2018** op datum bring nie, se lidmaatskap aan die HSAG opgeskort kan word na oorweging van die meriete deur die HSAG-bestuur.

Opskorting van lidmaatskap beteken ondermeer dat daardie HSAG-belegger se eis teen Orthotouch/ Mnr. Georgiou straks verjaar het en is dit ook moontlik dat hul van die HSAG se databasis en e-pos adreslys verwyder sal word.

Indien enigeen wat in die bogenoemde kategorie val sy lidmaatskap wil behou en ingesluit wil bly by die klas-aksie, moet hulle dringend met die HSAG by hsagregister@gmail.com in verbinding tree.

LET WEL:

- Lede wie op die e-poslys is, kan spesiaal versoek dat hul name behou word en hul agterstallige betalings op datum bring.
- Die blote feit dat 'n persoon 'n e-pos ontvang, beteken egter nie dat hy/sy sonder meer kwalifiseer om deel te wees van die HSAG klas-aksie nie. Maak dus seker dat u besonderhede akkuraat op die HSAG se sisteme verskyn, dat u wel as 'n lid geregistreer is, en dat u registrasiekoste en bydraes op datum is.

4. 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, sindikasienommers 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.

5. 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 word.

6. 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 so spoedig moontlik op datum gebring moet word.

Let asseblief op die volgende:



- i. 'n Eenmalige registrasiekoste van R1 500 per sindikasie word gehef en behoort so op u staat te verskyn (R1 000 indien u voor Oktober 2015 geregistreer het);
- ii. vanaf 2016 was regskoste van R1 000 per sindikasie aangevra;
- iii. vanaf Mei 2017 was 'n verdere jaarlikse opvraging vir bydraes tot regs- en administrasiekoste van R2 000 per persoon per jaar gemaak;
- iv. vanaf 2018 was 'n verdere jaarlikse opvraging vir bydraes tot regs- en administrasiekoste van R2 000 per persoon per jaar gemaak
- v. in November/Desember 2018 was 'n spesiale opvraging tot regs- en administrasiekoste vir HSAG-lede in HS 21 & 22 van R500 per persoon gemaak;
- vi. Vanaf 2019 was 'n verdere jaarlikse opvraging vir bydraes tot regs- en administrasiekoste van R2 000 per persoon per jaar gemaak
- vii. In November/Desember 2019 was 'n spesiale opvraging tot regs- en administrasiekoste vir HSAG-lede in HS 21 & 22 (ingevolge 'n glyskaal gebaseer op die totale belegging in HS 21 en/of 22) per persoon gemaak en die bedrag moet per epos aangevra word;
- viii. lede wie se registrasiekoste agterstallig is loop die gevaar dat hul lidmaatskap by die HSAG opgeskort gaan word;
- ix. vanaf einde Februarie 2019 word persone wie se totale eiswaarde / totale beleggingswaarde per persoon R60 000,00 of minder beloop, deur middel van 'n vooraf skriftelike versoek aan die HSAG se prokureurs (hsagenquiries@gmail.com), kwytsgekeld van die 2019 administratiewe- en regskostes, mits hul bydraes op datum is.
- x. kwytskelding geskied jaarliks en is nie van toepassing op vorige jare se registrasie / administrasie / regskostes /agterstallige fooie en die spesiale opvraging vir HS 21 & 22 lede nie en is steeds betaalbaar.
- xi. Geen registrasie, administratiewe of regsfooie is terugbetaalbaar nie.

Die HSAG geniet die beskerming van 'n regsplan wat bestaan uit prokureurs, junior en senior advokate wat reeds 'n lang pad saam 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 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.

7. 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.

Vind asseblief hertoe 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 te hou 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-, regskostes 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.

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HSAG GENERAL TERMS AND CONDITIONS

This information 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 confidential and is exclusively meant for the addressee. If you have received it in error/ wrongly, please notify the sender immediately at hsagenquiries@gmail.com and delete it. You may not copy, disclose or deliver any information received in error or any part of it to anyone else. HSAG’s webmaster uses antivirus software to prevent viruses and other malicious code. However, such software cannot prevent or eradicate all such code. The HSAG or its representatives will not be liable for any loss, harm or damage whatsoever arising from receipt or use of this information or otherwise, whether arising through negligence of the HSAG, its members, steering committee, and agents or otherwise.

The www.hsaction.co.za website is the primary place where you will find HSAG information, subject to the disclaimer contained therein (and also applicable hereto), although emails are also sent out from time to time.

The obligation to keep us up to date of any changes to your personal and/or contact details rests on you as HSAG member.

HSAG GENERAL TERMS AND CONDITIONS CONTENT:

1. CONTRIBUTION TOWARDS LEGAL AND ADMINISTRATIVE COSTS– 2019
2. GENERAL ESTATE ENQUIRIES
3. SUSPENSION OF HSAG MEMBERSHIP
4. USE OF THE CORRECT EMAIL ADDRESSES AND REFERENCES
5. OFFICIAL HSAG WHATSAPP GROUPS
6. MEMBERSHIP CONTRIBUTIONS AND REGISTRATION COSTS
7. STATEMENT FOR PARTICIPATION IN THE HSAG

1. CONTRIBUTION TOWARDS LEGAL AND ADMINISTRATIVE COSTS– 2019

The annual contributions towards legal and administration costs for 2019 remain unchanged since 2017, in the amount of R2 000.00 per person, which will be levied irrespective of the number of syndications that an investor has invested in. In addition, thereto, exemptions were made for investors with smaller claims since 2016.

The HSAG Steering Committee has considered the degree and scope of legal representation required for the upcoming Certification Application in November 2019, and accordingly decided that a senior counsel should be briefed to represent the HSAG’s Applicants. This will ensure the best possible representation for the HSAG’s Applicants, but will, for obvious reasons, require the financial support of the HSAG



members. Georgiou has, throughout the litigation process, used the services of senior counsel, and the recent decision was not considered lightly.

The annual amount has remained unchanged despite the huge price increases over the past three years. The HSAG and its legal representatives are doing everything in their power to make the case as affordable as possible. However, if VAT, bank charges and other costs are deducted, the net amount available to use is much less. The investors pay less than R5 a day for the peace of mind to have 100% of their claims plus interest pursued. The average claim per person amounts to approximately R250 000.00.

2. **GENERAL ESTATE ENQUIRIES**

If you have any general estate related enquiries regarding HSAG members, you are welcome to send an email to hsagestates@gmail.com for assistance.

3. **SUSPENSION OF HSAG MEMBERSHIP**

After consideration of the merits thereof, the HSAG Steering Committee decided at a previous meeting that members', who do not settle their **2014 / 2015 registration costs** before or on 31 December 2018, will have their HSAG memberships suspended.

Suspension of membership means, among other things, that that HSAG investor's claim against Orthotouch / Mr. Georgiou may have prescribed and it is also possible that they will be removed from the HSAG database and email address list.

If anyone who forms part of the abovementioned category wishes to retain their membership, they must contact the HSAG urgently at hsagregister@gmail.com.

TAKE NOTE:

- Members who are on the email list may specifically request that their details are retained and bring their arrear payments up to date.
- However, the mere fact that a person receives an email, does not necessarily mean that he/she no longer qualifies to be part of the HSAG class action. Therefore, make sure that your details appear accurately on the HSAG system, you are a registered member, and that your registration costs and contributions are up to date.

4. **USE OF THE CORRECT EMAIL ADDRESSES AND REFERENCES**

The correct use of e-mail addresses (as stipulated 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 and obligatory.

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;
- 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 thereof in writing.

5. OFFICIAL HSAG 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.

6. CONTRIBUTIONS AND REGISTRATION COSTS

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

It is of utmost importance that any outstanding registration and legal costs should be settled as soon as possible.

Kindly take note of the following:



- i. A once-off registration fee of R1 500 per syndication is charged and should reflect on your statement accordingly;
- ii. Legal costs since 2016 was R1 000 per syndication;
- iii. From May 2017 a further annual requisition for a contribution towards legal and administration costs of R2 000 per person was made;
- iv. From 2018 a further annual requisition for a contribution towards legal and administration costs of R2 000 per person was made;
- v. In November 2018 / December 2018 a special contribution request of R 500.00 per person was made towards legal- and administration costs for HSAG members who invested in HS 21 & 22;
- vi. From 2019 a further annual requisition for a contribution towards legal and administration costs of R2 000 per person was made;
- vii. In November/December 2019 'n special trial levy and contribution towards legal and administration costs for HSAG members in HS 21 & 22 (in terms of a sliding scale based on your investment in HS 21 and/or 22) was made per person and your amount must be requested via email;
- viii. Members whose registration costs are still outstanding, run the risk that their membership will be suspended by the HSAG without further notice;
- ix. From the end of February 2019 persons with a total claim value/ total investment value per person of R60 000 or less whose contributions are paid up to date, together with a prior written request to the HSAG' attorneys (hsagenquiries@gmail.com), will be exempted from 2019's administrative -and legal costs;
- x. Exemption is not applicable to previous years registration / administration costs and legal costs; overdue fees and the special contribution of HS 21 & 22 members are still payable;
- xi. 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. In light of the fact that the HSAG will now proceed with the certification of a class action and the rescission of the Sec 155 Scheme of Arrangement, we request that all HSAG members to do their part in order to successfully complete these matters. Everyone's cooperation is required.

7. 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:

- i. 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;
- ii. 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;
- iii. 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;
- iv. 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;
- v. 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;
- vi. 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.