



AFRIKAANS HIERBO

MONTHLY NEWSLETTER: JUNE 2021

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 email 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 email 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 email 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 as well as to make sure that the contents of your monthly statements are correct rests on you as HSAG member.

HSAG OFFICIAL NEWSLETTER – CONTENTS

1. INTRODUCTION.....	1
2. TWO SEPARATE CLASS ACTIONS.....	1
3. TAKE OWNERSHIP!.....	3
4. ARE MY RIGHTS COMPROMISED WHEN I CONTRACTED WITH GEORGIU/ORTHOTOUCH? .	4
5. HSAG STATEMENTS.....	4
6. HSAG FINANCIAL RELIEF ENQUIRIES.....	5
7. WHO IN CCAF QUALIFIES FOR A HSAG CREDIT IN 2022?	6
8. CCAF REGISTRATION COSTS	6
9. HAWKS	7
10. BEWARE OF POSSIBLE INTERNET SCAMS.....	8
11. IMPORTANT: USE OF THE CORRECT EMAIL ADRESSES	9
12. IMPORTANT GENERAL TERMS AND CONDITIONS.....	10

1. INTRODUCTION

As a point of departure we would like to thank all of those who have sent documents and information pointing toward the Georgious functioning as a group unit, i.e. as “The Georgiou Group”. All contributions are important and could help the legal team in their bid to seek justice for the HSAG against the opposition. If anyone is in possession of any relevant documents, they must please forward it to the below mentioned email address (as it may mean the difference between success and failure):

hsagwhistle@gmail.com

All emails sent to this address will be treated confidentially if so requested.

We are encouraged by the level of interaction with the newsletters. It indicates that investors are reading and engaging with their case. The legal team has always encouraged (productive) investor engagement and the steering committee truly believes that an open line of communication best serves the needs of investors in such a large class action. That being said, neither the legal team nor the steering committee has time to respond to questions that have been answered numerous times before in the newsletters, and as such we encourage HSAG members to read the newsletters before seeking correspondence with the steering committee or the legal team.

2. TWO SEPARATE CLASS ACTIONS

We would once again like to remind HSAG members that there is a difference between DECA and CCAF and that there are currently two separate class actions.

- DECA includes HS15-22, is in the process of certification and uses the normal Theron and Partners Account number 2.
- CCAF has already been certified by the High Court and all funds that are intended to be paid should be paid into the separate Theron and Partners Account number 3.

The one is a certified class action in terms whereof Mr. Nic Georgiou and two of his entities are Respondents. This class action forms part of the HS19-22 class action and

is already certified and the next ultimate step will be a judgment against (or for) the Respondents. There are three Respondents of which Zephan, the company currently under business rescue, which received the legal proceeds from the sale of HS19-22 properties, is one Respondent. The claim is contractual and the court held in favour of the HSAG that the case conformed to the requirements for a class action. It is commonly known as the Certified Class Action Fast Track (“CCAF”) case.

Then there is an uncertified class action against Georgiou and other Respondents, which also includes his sons. This matter is predominantly based on delictual (unlawful conduct) grounds and various persons in the chain of events are included as Respondents. This is more commonly known as Derivate Class Action (“DECA”).

There have been some enquiries among investors relating to which banking details and email addresses they should use for which purposes. See hereunder a quick summary:

Proof of payment & Enquiries

CCAF proof of payments must be sent to accounts@ccaf.co.za and **all payments must** be paid, as per the statement, to Theron & Partners Trust 3. CCAF queries should be sent to enquiries@ccaf.co.za

HSAG proof of payments must be sent to hsactiongroup@gmail.com and **all payments must** be paid as per the statement, to Theron & Partners Trust 2. HSAG queries should be sent to hsagenquiries@gmail.com

The steering committee and legal team cannot reiterate enough that the CCAF matter and the HSAG matter are two completely different cases and are treated as such by all involved. It is of great importance that payments are made into the correct trust account.

We would like to try to explain why by way of an analogy. Incorrect payments into incorrect accounts creates not only an administrative nightmare but it is also a waste of precious time and money. If an investor for example wants to open a Standard Bank account one would have to go to Standard Bank. It is impossible to open a Standard Bank account by going to Capitec Bank. Capitec Bank can only open Capitec accounts and Standard Bank can only open Standard Bank accounts. Similarly, HSAG and CCAF

have two separate accounts. The court stated that the CCAF funds have to be paid into a separate bank account and through the certification ordered that the CCAF case stands on its own two legs. As such it was necessary, for the furtherance of the case, to do a CCAF requisition. This has been explained numerous times in the past and investors are reminded that they should pay attention to which email addresses enquiries and proof of payments should be sent. If you are unsure, kindly consult the newsletter, specifically the point titled IMPORTANT: USE OF CORRECT EMAIL ADRESSES.

3. TAKE OWNERSHIP!

One of the most important aspects of litigation is that the client must at all times take ownership of his/her case. Make sure that you provide the legal team with all the necessary information in your possession. This can assist the legal team in their endeavours so that they may pursue the case and be successful.

An important part of a court case is the administration, which goes hand in hand with the driving of the court cases. Make sure that you read your newsletters, send your e-mails to the correct addresses and make payments in the right bank accounts.

At the end it is important to tip the scales of justice in favour of the applicants. To achieve that, not only the “i’s” are to be dotted and “t’s” are to be crossed, but also the right people, and not only the pawns, need to be brought to book. Make sure that you or your financial advisor provide all the necessary information and documents. Do not simply accept that someone else will do that.

We need the assistance and support, financially, morally and otherwise, from the HSAG members to drive their own case. Without the necessary information and the facts we cannot be successful. We rely on your cooperation throughout the process.

Be assured that the HSAG team and the legal team are working determinedly and dedicatedly to ensure that you have success in your matter.

The price that you have to pay now is a relative small one in relation to the protectable interests at stake. We want to appeal to everyone to give their support for this deserving matter. Thank you very much to all those members who have dedicated themselves towards this task. If it wasn't for those who contributed over the years, we would not have progressed this far.

4. ARE MY RIGHTS COMPROMISED WHEN I CONTRACTED WITH GEORGIU/ORTHOTOUCH?

The HSAG receives, from time-to-time, enquiries from its members who contracted with Mr Georgiou/Orthotouch by taking the shares option or a cash payment option but have yet to receive anything to that effect. In short it means that promises were made by Mr Georgiou/Orthotouch which were not honoured.

If members experience the same problems, they must contact us and also send proof of documents which they signed. It will be dealt with on an ad hoc basis. We have stated before, and we again wish to emphasize, that members must be wary to enter into any agreement with Mr Nic Georgiou and those acting on his behalf, as he has not, to our knowledge, kept his promises other than buying out certain individuals.

HSAG members will not relinquish their HSAG membership unless they specifically asked to be removed and we shall continue to act for these persons. If, however, you have signed an agreement with Mr Georgiou/Orthotouch, you may have compromised your right and no guarantees can be given that you haven't, unless of course you have cancelled such agreement.

Contact the HSAG at hsagwhistle@gmail.com if you have any queries in this regard.

5. HSAG STATEMENTS

The HSAG administrative personnel has received some queries from investors this month regarding the fact that their payments did not appear on their statements. Payments are not automatically allocated and must be individually loaded to investors' statements. Investors are therefore urged to be patient as this is a time-consuming

process. If two consecutive statements do not reflect the relevant information, an investor should contact the HSAG immediately.

6. HSAG FINANCIAL RELIEF ENQUIRIES

We have received enquiries as to why investors have received CCAF trust requisitions and why paid up HSAG members have to apply for financial relief. The answers are simple.

We would, again, like to assure HSAG members that our team have their best interests at heart. The motivation for the decision why HSAG members have to apply for credit was not taken lightly. It is correct that credit does not appear automatically on investors' statements and will need to be posted manually.

The reasons why members need to apply for credit is basically threefold.

- i. The funding model of the HSAG is a Group Members funding model which means that all legal and administrative costs are funded by the HSAG members. The continuation of the legal process is accordingly completely dependent on the financial support of paid-up members. The HSAG therefore would like to encourage only those people who cannot afford it, to apply for such financial support and credit, although it is available to everyone (who qualifies). It is by virtue of our sheer numbers that we are able to fight against the opposition, however due to the fact that most of our members are elderly, our numbers are declining. Therefore we need, where possible, everyone's moral and financial support.
- ii. Each person must ensure that his/her statements are correct. The legal team from time to time receives financial support from people who are not members or even members who want to pay extra. Therefore, if a member, believes that he/she is paid up and makes a payment but the reference is incorrect, then it will not be allocated to him/her. If someone wants the credit, he will be able to see if the funds are allocated or not, and inform the attorneys thereof.

- iii. Each credit must be inserted manually. This is a cumbersome process and each one is allocated individually. HSAG members are accordingly allowed ample time, as the deadline is until 31 August 2021, to decide and also to post the credits.

7. WHO IN CCAF QUALIFIES FOR A HSAG CREDIT IN 2022?

7.1 HSAG members that also form part of CCAF (i.e. HS21/22)

- i. Have you received your monthly statement and your newsletter? If so, then a debit for the 2021 trust requisition has been uploaded during January/February 2021.
- ii. If this debit for 2021 (together with previous debits) on the HSAG statement was paid before the end of April 2021 then you qualify for a R 500.00 credit on your 2022 HSAG statement.
- iii. If you qualify, kindly apply, in writing, before **31 August 2021** by sending an email to: hsactiongroup@gmail.com

7.2 HS21/22 CCAF members (Automatic Opt-In and Manual Opt-In)

- i. Have you received your CCAF trust requisition statement with the debit thereon?
- ii. If so, this needs to be paid as set out in the trust requisition.
- iii. The May (2021) newsletter says that R 2 000.00 is payable immediately and the rest can be paid as advised. The statement shows **due by end June**.
- iv. If you have not yet received your trust requisition statement, kindly contact: enquiries@ccaf.co.za
- v. With regards to the FICA documents it is, at this stage, only necessary to send your ID and address (for example a municipal account). Bank details will be required at a later stage. Details appear on the statement.

8. CCAF REGISTRATION COSTS

It is now well known that paid up HSAG members were exempted from registration costs at CCAF. The benefit for HSAG members was massive and the Court exempted those members from paying registration costs. HSAG members that are also at CCAF can thus expect the following message on their monthly statement in terms whereof the registration costs were debited: "Exemption by Court Order to pay registration fees".

Abovementioned credits must however be uploaded individually. If such credit was not passed and on your account, please send an email to accounts@ccaf.co.za.

Because these credits must also be posted manually, please check your CCAF statements.

When paid up Automatic Opt-In members were originally uploaded to the CCAF programme (the program that the legal team uses to process investor information) two groups of investors details were uploaded with a trust requisition/invoice of either R 4 500 or R 6 500. The statements of all HSAG members that automatically formed part of CCAF should indicate either R 3 000 or R 4 000 depending on the amount (R 100 000 and less or more than R 100 000) invested. If you have received such a statement with any other amount thereon, please follow the procedure as set out above.

9. HAWKS

After the report 'The Hawks are circling again' in the February 2021 newsletter, we can confirm, that after receiving the list of names, the Hawks have begun with their investigation.

A request from the Hawks, predominantly due to Covid 19 and travel restrictions, to initially concentrate on investors residing in Gauteng was received. Various members residing in Gauteng gave their details without delay. These names have been communicated to the Hawks and some of these members have already been contacted. If you have not yet been contacted, it is due to the fact that the current Covid restrictions have restricted travelling. People should also be patient because there are literally thousands of people to contact. In light thereof it is also obvious that not everybody will be contacted.

The Hawks are continuously in contact with the HSAG and are giving feedback on the progress of the case. We want to specially thank our members for their patience and the cooperation they have shown when called upon.

The cooperation of not only HSAG members has been requested. Investment advisors and persons that have served on the creditors' committees have also been invited to offer their assistance to the Hawks.

Persons with valuable information (that can potentially drive the matter in a determined direction) are encouraged to come forth and provide such information. Without facts and information it would be impossible to paint the full picture and to reach the end goal that requires everybody's cooperation.

The HSAG will also provide its email platform, hsagwhistle@gmail.com, which members can use to send their documents or their intentions to get involved.

This must be done as soon as possible please! Strike while the iron is hot!

10. BEWARE OF POSSIBLE INTERNET SCAMS

The HSAG has once again received complaints that its members are being harassed by Mr Nic Georgiou's Highveld Syndication Investors Forum (HSBF).

Upon closer inspection, however, it appears that there is a possibility that the emails under the heading "**High Field Syndication Investors Forum**" (sic) could be an internet scam by a syndicate to fraudulently obtain HSAG members' private information and identity numbers.

HSAG members are once again warned not to open e-mails of any kind from an unreliable source nor to complete information on them.

An e-mail that came to the attention of the HSAG not only contained a wealth of spelling and grammatical errors, but also contained strange words and signs that reinforced the possibility that the specific HSBF emails might be the work of an international syndicate.

In the email, words like “preasmation” and “forthtolly” are used and such incomprehensible and poor language use is indicative of such scams.

If you receive such spam, the advice is:

- Avoid clicking on any link.
- Red lights flash if passwords or important personal information such as identity numbers are requested.
- Report suspicious emails at hsagwhistle@gmail.com.

11. IMPORTANT: USE OF THE CORRECT EMAIL ADDRESSES

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. Failure to comply herewith may lead to unnecessary delays or any reply at all.

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.

The official and existing e-mail addresses for CCAF (HS 21 & 22 certified class action) are as follows:

- **accounts@ccaf.co.za** for proof of payments

- **admin@ccaf.co.za** for the official request to pay registration fees over 6 months - form
- **enquiries@ccaf.co.za** for all other CCAF questions and enquiries

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.

If you have a question regarding your monthly newsletter or statement, do not reply to the e-mail from **admin3@theronlaw.co.za** but use the correct email address as set out above.

12. IMPORTANT GENERAL TERMS AND CONDITIONS

The general and repetitive terms, conditions and other general information that was previously contained in the Newsletter, is now available on the HSAG website at www.hsaction.co.za and can directly be accessed via the following link: <http://hsaction.co.za/wp-content/uploads/2020/01/HSAGTsCs.pdf>

The HSAG Steering Committee wishes prosperity and success to each and every member for the foreseeable future.

Kind regards

HSAG Steering Committee

Contact the HSAG's attorneys at:

Tel: (021) 887 7877

hsactiongroup@gmail.com