

**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE HIGH COURT, BLOEMFONTEIN**

Case Number: 3201/2023

In the matter between

**FRANCOIS STRAUSS
HENRY ARDEN SMITH**

First Applicant
Second Applicant

and

**ORTHOTOUCH (PTY) LTD
ZEPHAN PROPERTIES (PTY) LTD
LUKE BERNARD SAFFY N.O.
MICHAEL NICOLAS GEORGIU
GEORGE NICOLAS GEORGIU
JOHANNES FREDERICK KLOPPER N.O.
JACQUES DU TOIT N.O
DEREK PEDOE COHEN N.O
HIGHVELD SYNDICATION NO 15 LIMITED
HIGHVELD SYNDICATION NO 16 LIMITED
HIGHVELD SYNDICATION NO 17 LIMITED
HIGHVELD SYNDICATION NO 18 LIMITED
HIGHVELD SYNDICATION NO 19 LIMITED
HIGHVELD SYNDICATION NO 20 LIMITED
HIGHVELD SYNDICATION NO 21 LIMITED
HIGHVELD SYNDICATION NO 22 LIMITED
COMPANIES AND INTELLECTUAL PROPERTY
COMMISSION OF SOUTH AFRICA (CIPC)**

First Respondent
Second Respondent
Third Respondent
Fourth Respondent
Fifth Respondent
Sixth Respondent
Seventh Respondent
Eighth Respondent
Ninth Respondent
Tenth Respondent
Eleventh Respondent
Twelfth Respondent
Thirteenth Respondent
Fourteenth Respondent
Fifteenth Respondent
Sixteenth Respondent
Seventeenth Respondent


B.M

CONFIRMATORY AFFIDAVIT

I, the undersigned,

HENRY ARDEN SMITH

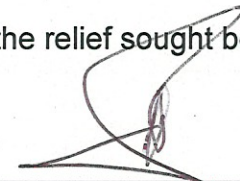
do hereby make oath and state:

1. I am an adult male financial advisor of 12 Hildalan road, Bishopscourt, Cape Town, Western Cape, and the Second Applicant herein. I am an investor in 7 of the eight so-called Highveld companies, namely Highveld Syndication No 15 Ltd, Highveld Syndication No 16, Highveld Syndication No 17, Highveld Syndication No 18, Highveld Syndication No 19, Highveld Syndication No 20 and Highveld Syndication No 22 Ltd (i.e. Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Sixteenth Respondents herein)
2. The facts contained herein fall within my personal knowledge unless otherwise stated or implied and are both true and correct.
3. I confirm that Theron and Partners, Stellenbosch, is and has been, from the outset of the litigation herein, authorised by me to act on my behalf.
4. I have read the Founding Affidavit dated 1 June 2023 deposed to by Mr Francois Strauss, the First Applicant, and hereby confirm the correctness of the averments


B-A

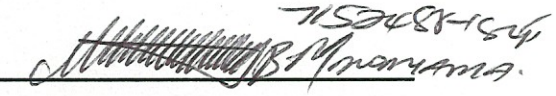
contained in the Founding Affidavit of the First Applicant insofar as it relates to the me.

5. I therefore hereby respectfully request that the relief sought be granted.



HENRY ARDEN SMITH

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED TO ME THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, WHICH WAS SIGNED AND SWORN TO BEFORE ME AT WYNBERG ON THIS 11 DAY OF OCTOBER 2023 IN ACCORDANCE WITH THE REQUIREMENTS OF REGULATION R1258 DATED 21 JULY 1972, AS AMENDED BY REGULATION NO R1648 DATED 19 AUGUST 1977, AS FURTHER AMENDED BY REGULATION NO 1428 DATED 11 JULY 1980.



COMMISSIONER OF OATHS



NAME: Bonnie Mndamama
DESIGNATION: sergeant
ADDRESS: CHURCH STREET
WYNBERG.