ENGLISH TEXT BELOW

BELANGRIKE KENNISGEWING: FINALE AFSNYDATUM – 31 JULIE 2026

Geagte HSAG-lid

Lede word hiermee vriendelik, maar dringend herinner dat die verlenging van die finale afsnydatum na 31 Julie 2026 nou vinnig nader.

Hierdie datum is nie bloot 'n administratiewe sperdatum nie. Dit vorm 'n belangrike strategiese mylpaal vir die HSAG, aangesien die HSAG nou die volgende fase van die litigasie en alle verwante insolvensieprosesse betree.

Die afgelope paar maande het die regslandskap ingrypend verander. Voorlopige likwidasiebevele is toegestaan, verdere insolvensieprosesse is aan die gang, en nuwe hofverrigtinge staan voor. Hierdie ontwikkelinge vereis dat die HSAG met sekerheid moet weet op watter lede hy in die volgende fase kan staatmaak.

Lede wat nog nie hul state nagegaan of hul posisie met die HSAG gereël het nie, word sterk aangemoedig om dit voor of op 31 Julie 2026 te doen. Indien daar enige onsekerheid oor u rekening, betalings of administratiewe status bestaan, kontak asseblief die HSAG se Admin sonder versuim.

Die HSAG besef dat baie lede oor die afgelope twaalf jaar finansiële en persoonlike uitdagings beleef het. Dit is onder andere om hierdie rede dat die sperdatum verleng is om soveel moontlik lede 'n billike geleentheid te bied om hul posisie te reël en hul voortgesette deelname aan die HSAG te bevestig.

Na 31 Julie 2026 sal die HSAG sy administrasie, strategiese beplanning en toekomstige regsprosesse op grond van die finale status van sy lede moet voortsit.

Hierdie is waarskynlik weer een van die belangrikste fases sedert die ontstaan van die HSAG. Die ondersteuning en betrokkenheid van lojale lede bly die fondament waarop die organisasie sy werk voortsit.

<u>31 Julie 2026 is die finale afsnydatum. Moet dit asseblief nie uitstel nie.</u>

<u>Ons sterkte lê steeds in ons eenheid.</u>

1. HSAG NUUSFLITS JULIE 2026.5

BELANGRIK: KORREKTE INBETALINGS, REKENINGE EN NAVRAE

Die HSAG het die afgelope tyd 'n beduidende toename ervaar in betalings wat klaarblyklik vir die HSAG bedoel is, maar per abuis in die CCAF-rekening inbetaal word.

Hierdie situasie veroorsaak onnodige administratiewe werk, vertragings en die risiko dat lede se betalings nie betyds aan die korrekte rekening of proses toegedeel word nie.

<u>Dit is belangrik om te onthou dat die HSAG en die CCAF twee afsonderlike entiteite is.</u> Hulle funksioneer onafhanklik van mekaar, beskik oor afsonderlike trustrekeninge en word ingevolge die Hof se bevele as afsonderlike strukture hanteer.

HSAG-betalings moet uitsluitlik in die **HSAG (TRUST2)**-rekening gemaak word.
CCAF-betalings moet uitsluitlik in die **CCAF (TRUST3)**-rekening gemaak word.

Lede word dringend versoek om hul state noukeurig na te gaan voordat enige betaling gemaak word. Die korrekte bankbesonderhede en verwysingsnommer verskyn op elke staat en moet presies soos aangedui gebruik word.

Nadat 'n betaling gemaak is, behoort lede ook hul volgende staat na te gaan om te bevestig dat die betaling korrek geallokeer is. Indien 'n lid vermoed dat 'n betaling in die verkeerde rekening beland het of nie op die staat verskyn nie, moet Admin onverwyld skriftelik in kennis gestel word, tesame met 'n bewys van betaling en alle relevante besonderhede.

Lede word verder herinner om navrae na die korrekte e-posadres te stuur. Die gebruik van 'n verkeerde e-posadres veroorsaak onnodige vertragings en kan meebring dat navrae nie betyds by die regte administratiewe afdeling uitkom nie.

Deur:

- die korrekte rekening te gebruik;
- die korrekte verwysing aan te bring;
- betalings op state te kontroleer; en
- navrae aan die korrekte e-posadres te rig,

help lede om administratiewe vertragings te beperk en verseker hulle dat betalings en navrae so spoedig moontlik hanteer kan word.

Die HSAG bedank al sy lede vir hul samewerking en begrip. Deur hierdie eenvoudige administratiewe riglyne noukeurig te volg, help elke lid om die organisasie doeltreffend te laat funksioneer en onnodige koste en vertragings te voorkom.

Ons sterkte lê steeds in ons eenheid.

2. HSAG NUUSFLITS JULIE 2026.6

NUWE BRP OPPONEER FINALE LIKWIDASIE: HSAG ANTWOORD

Geagte HSAG-lid

Die Vrystaatse Hooggeregshof het die besigheidsreddingsverrigtinge van Orthotouch en Zephan op 7 Mei 2026 beëindig en die maatskappye onder voorlopige likwidasie geplaas. Dit was 'n belangrike mylpaal in die HSAG se jarelange regsproses.

Ingevolge die voorlopige likwidasiebevele moes die Hof op die vasgestelde keerdatum beslis of die voorlopige likwidasiebevele finaal gemaak moet word. Voor die keerdatum is 'n nuwe Besigheidsreddingspraktisyn ("BRP") deur die opponerende partye aangestel.

Soos enige respondent in litigasie geregtig is om te doen, het die nuwe BRP besluit om die finale likwidasie teen te staan. Sy standpunt is in 'n opponerende eedsverklaring uiteengesit wat by die Hof geliasseer is.

Die HSAG was eweneens geregtig om daarop te antwoord. Hieronder volg 'n bondige opsomming van die HSAG se standpunt.

HOE HET ONS HIER GEKOM?

Die voorlopige likwidasiebevele is nie toegestaan sonder dat die Hof die opponerende partye aangehoor het nie.

Inteendeel, die Hof het reeds die argumente van die vorige BRP's en ander respondente deeglik oorweeg voordat die voorlopige likwidasiebevele toegestaan is.

Die aanstelling van 'n nuwe BRP beteken dus nie dat die proses van voor af begin nie. Dit beteken bloot dat die nuwe BRP die geleentheid benut het om namens die maatskappye verdere teenstand teen die finale likwidasie te bied.

DIE HSAG SE STANDPUNT

Volgens die HSAG bevat die nuwe BRP se opponerende eedsverklaring geen wesenlik nuwe feite of regsargumente wat nie reeds oor die afgelope jare deur vorige BRP's en ander respondente aan die Hof voorgehou is nie.

Die HSAG voer aan dat baie van die argumente bloot herhaal word, ondanks die feit dat die Hof reeds besluit het om voorlopige likwidasiebevele toe te staan.

Die HSAG is van mening dat die kernvraag steeds dieselfde bly: Dien die huidige besigheidsreddingsproses nog die doel waarvoor dit deur die Maatskappywet geskep is?

DIE IMPLEMENTERING VAN DIE BESIGHEIDSREDDINGSPLAN

'n Belangrike tema in die HSAG se antwoord is die implementering van die 2023-Besigheidsreddingsplan.

Meer as drie jaar het verloop sedert die plan aanvaar is. Tog het die beloofde betaling van vyf sent in die rand aan kwalifiserende beleggers volgens die HSAG steeds nie plaasgevind nie.

Die HSAG stel daarom 'n eenvoudige vraag:

Indien die Besigheidsreddingsplan inderdaad geïmplementeer word, waarom het die beloofde betalings nog nie plaasgevind nie?

Volgens die HSAG word beleggers reeds vir jare meegedeel dat implementering op hande is, maar wag hulle steeds op tasbare resultate.

DIE STEMPROSES BLY 'N KERNPUNT

Nog 'n belangrike aspek handel oor die stemming waartydens die Besigheidsreddingsplan aanvaar is.
Die HSAG voer aan dat slegs krediteure ingevolge die Maatskappywet geregtig is om oor 'n Besigheidsreddingsplan te stem.

Volgens die HSAG is duisende persone wat nie krediteure van Orthotouch of Zephan was nie, toegelaat om aan die stemming deel te neem, terwyl beleggers met terugkoopooreenkomste volgens die HSAG se standpunt benadeel is.

Hierdie vraagstuk vorm steeds een van die sentrale regsdispute wat uiteindelik deur die Hof beoordeel sal word.

DIE TERUGKOOPOOREENKOMSTE

Die HSAG herhaal verder dat die geldigheid van die terugkoopooreenkomste reeds deur verskeie howe bevestig is.

Daarbenewens erken die Besigheidsreddingsplan self hierdie eise en beskik die BRP's reeds vir baie jare oor die volledige besonderhede van beleggers en hul beleggings.

Volgens die HSAG word die eise in die opponerende eedsverklaring bloot as "betwis" beskryf, sonder dat enige konkrete regsgrond uiteengesit word waarom die eise ongeldig sou wees.

LEWER BESIGHEIDSREDDING NOG 'N BETER UITKOMS?

Die nuwe BRP voer aan dat besigheidsredding steeds 'n beter uitkoms vir beleggers sal bied as likwidasie.

Die HSAG stem nie daarmee saam nie.

Volgens die HSAG het beleggers reeds beduidende kontraktuele regte ingevolge die huidige Besigheidsreddingsplan ingeboet, terwyl die voordele wat belowe is nie gerealiseer het nie.

Die HSAG voer aan dat dit uiteindelik die Hof is wat sal moet bepaal of die huidige besigheidsreddingsproses steeds voldoen aan die doel waarvoor dit deur die Maatskappywet geskep is.

WAT BETEKEN DIT VIR HSAG-LEDE?

Hierdie jongste eedsverklaring van die BRP beteken nie dat die voorlopige likwidasiebevele tersyde gestel is nie.

Dit beteken ook nie dat die finale likwidasie reeds toegestaan is nie.

Dit beteken wel dat:

- die opponerende partye hul saak volledig voor die Hof moet plaas;
- die HSAG sy antwoord volledig aan die Hof moet voorlê; en
- die saak deur die Hof beslis moet word.

WAT GEBEUR NOU?

Die volgende stap is dat die Hof op 3 September 2026 al die eedsverklarings, tesame met die ander hofstukke en regsargumente, sal oorweeg voordat uitspraak gelewer word oor die finale likwidasie van Orthotouch en Zephan.

Soos altyd sal die HSAG sy lede op hoogte hou van enige verdere verwikkelinge.

SLOTGEDAGTE

Die HSAG respekteer die reg van elke party om sy of haar saak volledig aan die Hof voor te lê.

Net so oefen die HSAG sy reg uit om op die nuwe BRP se opponerende eedsverklaring te antwoord en die feite en regsargumente waarop die aansoek steun volledig uiteen te sit.

Die uiteindelike beslissing berus nou, soos altyd, by die Hof.

Ons sterkte lê steeds in ons eenheid.

3. BELANGRIK: GEBRUIK VAN DIE KORREKTE REKENINGNOMMERS EN VERWYSINGS

Rekwisisies moet deur lede in die korrekte rekeninge betaal word met die korrekte verwysingsnommer aangeheg. Die tyd, moeite en administrasie wat dit die HSAG se regspan kos om enige foutiewe betaling reg te stel, veroorsaak dat die HSAG-saak onnodig duur word.

Rekeningnommers en verwysings word op elke staat aangebring en ons versoek dat lede hul state noukeurig nagaan wanneer betalings gemaak word.

4. BELANGRIK: GEBRUIK VAN DIE KORREKTE E-POSADRESSE!

Die korrekte gebruik van e-posadresse (soos uiteengesit op ons webwerf en e-posse), asook HSAG-lede se voorletters en vanne, sindikasienommers en verwysingsnommers (bv. identiteitsnommer, ens.) vir alle kommunikasie, is noodsaaklik en verpligtend. Versuim om hieraan te voldoen, kan lei tot onnodige vertragings of selfs geen antwoord nie.

Die amptelike en huidige e-posadresse vir die HSAG is soos volg:

- **hsactiongroup@gmail.com** vir alle algemene navrae; (Byvoorbeeld – om kontakbesonderhede te verander, bewys van betalings, afsterwe van ’n lid, betalings wat verkeerdelik aan HSAG gemaak is, verkeerde verwysings, ens.);
- **hsagenquiries@gmail.com** vir spesifieke navrae; (Byvoorbeeld – versoeke vir inligting/state rakende ’n spesifieke lid, vrystellingsnavrae vir ’n spesifieke lid);
- **hsagregister@gmail.com** vir die registrasie en deregistrasie van HSAG-lede;
- **hsagwhistle@gmail.com** vir alle vertroulike inligting wat u anoniem aan ons wil stuur;
- **hsagestates@gmail.com** vir alle boedelverwante navrae.

Die amptelike en huidige e-posadresse vir CCAF (HS 21 & 22 gesertifiseerde klasaksie) is soos volg:

- **accounts@ccaf.co.za** vir bewys van betalings, verkeerde verwysings op bewys van betalings
- **admin@ccaf.co.za** vir die amptelike versoekvorm om registrasiefooie oor 6 maande te betaal, betalings wat verkeerdelik aan CCAF gemaak is
- **enquiries@ccaf.co.za** vir alle ander CCAF-vrae en navrae

Indien ’n belegger of enige persoon ’n e-pos na die verkeerde adres stuur, sal dit daartoe lei dat die e-pos nie spoedige of nodige aandag ontvang nie, indien enige.

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

5. BELANGRIKE ALGEMENE TERME EN VOORWAARDES

Die algemene en herhalende terme, voorwaardes en ander algemene inligting wat voorheen in die Nuusbrief vervat was, word beskikbaar gestel op die HSAG se webtuiste by **www.hsaction.co.za.**

Vriendelike groete
HSAG-Bestuurskomitee
Kontak die HSAG en prokureurs by: Tel: (021) 887 7877
hsactiongroup@gmail.com

AFRIKAANS HIERBO

IMPORTANT NOTICE: FINAL CUT-OFF DATE – 31 JULY 2026

Dear HSAG Member

Members are kindly, but urgently, reminded that the extended final cut-off date of 31 July 2026 is fast approaching.

This date is not merely an administrative deadline. It represents an important strategic milestone for the HSAG as the HSAG enters the next phase of the litigation and all related insolvency proceedings.

Over the past few months, the legal landscape has changed significantly. Provisional liquidation orders have been granted, further insolvency proceedings are underway, and additional court proceedings lie ahead. These developments require the HSAG to know with certainty which members it can rely upon as it moves into the next phase.

Members who have not yet reviewed their statements or regularised their position with the HSAG are strongly encouraged to do so on or before 31 July 2026. Should there be any uncertainty regarding your account, payments or administrative status, please contact the HSAG Administration without delay.

The HSAG appreciates that many members have faced financial and personal challenges over the past twelve years. It is, amongst other reasons, for this reason that the deadline has been extended to provide as many members as possible with a fair opportunity to regularise their position and confirm their continued participation in the HSAG.

After 31 July 2026, the HSAG will proceed with its administration, strategic planning and future legal processes based on the final status of its membership.

This is arguably again one of the most important phases since the establishment of the HSAG. The continued support and commitment of loyal members remain the foundation upon which the organisation carries its work forward.

31 July 2026 is the final cut-off date. Please do not leave it until the last moment.

Our strength still lies in our unity.

1. HSAG NEWSFLASH JULY 2026.5

IMPORTANT: CORRECT PAYMENTS, ACCOUNTS AND ENQUIRIES

The HSAG has recently experienced a significant increase in payments that were clearly intended for the HSAG, but were mistakenly deposited into the CCAF account. This creates unnecessary administrative work, delays, and the risk that members' payments may not be allocated to the correct account or legal process timeously.

Members are reminded that the HSAG and the CCAF are two separate entities. They operate independently, maintain separate trust accounts and have been recognised by the Court as separate structures.

HSAG payments must be made exclusively into the HSAG (TRUST2) account.

CCAF payments must be made exclusively into the CCAF (TRUST3) account.
Members are strongly encouraged to carefully review their statements before making any payment. The correct banking details and reference number appear on every statement and must be used exactly as provided.

After making a payment, members should also check their next statement to ensure that the payment has been correctly allocated. If a member believes that a payment was made into the incorrect account or does not appear on the statement, Admin must be notified immediately in writing, together with proof of payment and all relevant information.

Members are also reminded to direct enquiries to the correct email address. Sending correspondence to the wrong email address causes unnecessary delays and may result in enquiries not reaching the appropriate administrative department promptly.

By:

- using the correct account;
- quoting the correct reference;
- checking that payments appear on statements; and
- directing enquiries to the correct email address,

members help reduce administrative delays and ensure that their payments and enquiries can be dealt with as efficiently as possible.

The HSAG thanks all members for their cooperation and understanding. By following these simple administrative guidelines, every member contributes to the efficient functioning of the organisation and helps avoid unnecessary costs and delays.

Our strength still lies in our unity.

2. HSAG NEWSFLASH JULY 2026.6

NEW BRP OPPOSES FINAL LIQUIDATION: HSAG RESPONDS

Dear HSAG Member

On 7 May 2026, the Free State High Court terminated the business rescue proceedings of Orthotouch and Zephan and placed both companies under provisional liquidation. This marked an important milestone in the HSAG's long-standing legal process.

In terms of the provisional liquidation orders, the Court was required to determine, on the appointed return day, whether the provisional liquidation orders should be made final. Before the return day, a new Business Rescue Practitioner ("BRP") was appointed by the opposing parties.

Like any respondent in litigation, the new BRP was entitled to oppose the granting of final liquidation orders. His position was set out in an opposing affidavit filed with the Court.

The HSAG is equally entitled to respond. Below is a concise summary of the HSAG's position.

HOW DID WE GET HERE?

The provisional liquidation orders were not granted without the Court first hearing the opposing parties.

On the contrary, the Court had already carefully considered the arguments advanced by the previous BRPs and the other respondents before granting the provisional liquidation orders.

The appointment of a new BRP therefore does not mean that the process starts afresh. It simply means that the new BRP exercised the opportunity to present further opposition to the final liquidation on behalf of the companies.

THE HSAG'S POSITION

According to the HSAG, the new BRP's opposing affidavit contains no materially new facts or legal arguments that have not already been presented to the Court over the past several years by previous BRPs and other respondents.

The HSAG submits that many of the arguments merely repeat issues that have already been considered, despite the Court having already decided to grant provisional liquidation orders.

In the HSAG's view, the central question remains unchanged: Does the current business rescue process still serve the purpose for which it was created under the Companies Act?

IMPLEMENTATION OF THE BUSINESS RESCUE PLAN

A key theme in the HSAG's response concerns the implementation of the 2023 Business Rescue Plan.

More than three years have passed since the plan was adopted. Yet, according to the HSAG, the promised payment of five cents in the rand to qualifying investors has still not been made.

The HSAG therefore poses a simple question:
<u>If the Business Rescue Plan is indeed being implemented, why have the promised payments still not been made?</u>

According to the HSAG, investors have been told for years that implementation is imminent, yet they continue to wait for tangible results.

THE VOTING PROCESS REMAINS A KEY ISSUE

Another important aspect concerns the voting process through which the Business Rescue Plan was adopted.

The HSAG maintains that only creditors, in terms of the Companies Act, are entitled to vote on a Business Rescue Plan.

According to the HSAG, thousands of persons who were not creditors of Orthotouch or Zephan were nevertheless permitted to participate in the voting process, while investors holding buy-back agreements were, according to the HSAG's position, prejudiced.

This issue remains one of the central legal disputes that will ultimately have to be determined by the Court.

THE BUY-BACK AGREEMENTS

The HSAG further reiterates that the validity of the buy-back agreements has already been confirmed by several courts.

Furthermore, the Business Rescue Plan itself acknowledges these claims, and the BRPs have for many years had access to the complete details of investors and their investments.

According to the HSAG, the claims are merely described in the opposing affidavit as being "disputed", without any concrete legal basis being advanced as to why they should be regarded as invalid.

DOES BUSINESS RESCUE STILL OFFER A BETTER OUTCOME?

The new BRP contends that business rescue will still produce a better outcome for investors than liquidation.

The HSAG disagrees.

According to the HSAG, investors have already forfeited significant contractual rights under the current Business Rescue Plan, while the promised benefits have not materialised.

The HSAG submits that it will ultimately be for the Court to determine whether the present business rescue process continues to fulfil the purpose for which it was created under the Companies Act.

WHAT DOES THIS MEAN FOR HSAG MEMBERS?

This latest affidavit filed by the BRP does <u>not</u> mean that the provisional liquidation orders have been set aside.

Nor does it mean that final liquidation has already been granted.

It does mean that:
• the opposing parties must fully present their case before the Court;
• the HSAG must fully place its response before the Court; and
• the matter must ultimately be determined by the Court.

WHAT HAPPENS NEXT?

The next step is for the Court, on 3 September 2026, to consider all the affidavits, together with the other court papers and legal arguments, before delivering judgment on whether Orthotouch and Zephan should be finally liquidated.

As always, the HSAG will continue to keep its members informed of any further developments.

CLOSING REMARKS

The HSAG respects the right of every party to fully present its case before the Court.

Likewise, the HSAG has exercised its right to respond to the new BRP's opposing affidavit and to fully set out the facts and legal arguments upon which its application is based.

The final decision now rests, as always, with the Court.

Our strength still lies in our unity.

3. IMPORTANT: USE OF CORRECT ACCOUNT NUMBERS AND REFERENCES

Requisitions must be paid by members into the correct accounts with the correct reference number attached. The time, effort and administration it costs the HSAG's legal team to correct any erroneous payment leads to the HSAG case becoming unnecessarily expensive.

Account numbers and references are affixed to each statement and we request that members please review their statements carefully when making payments.

4. 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, Payments incorrectly made to HSAG, incorrect references 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, incorrect references on proof of payments
- **admin@ccaf.co.za** for the official request to pay registration fees over 6 months form, payments incorrectly made to CCAF
- **enquiries@ccaf.co.za** for all other CCAF questions and enquires

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. GENERAL TERMS AND CONDITIONS

The general and recurring terms, conditions, and other general information previously included in the Newsletter are available on the HSAG website at **www.hsaction.co.za**.

Kind regards

HSAG Steering Committee

Contact the HSAG's attorneys at:

Tel: (021) 887 7877 hsactiongroup@gmail.com