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IN THE HIGH COURT OF SOUTH AFRICA
(NORTH GAUTENG HIGH COURT, PRETORIA)

CASE NO. 16550/2013

27 MARCH 2013

BEFORE JUDGE ROSSouw, AJ

In the application between:

VINCEMUS INVESTMENTS (PTY) LTD

APPLICANT

REG NO. 1969/004762/07

and

LOUHEN CARRIERS CC (in business rescue)

1st RESPONDENT

REG NO. CK2009/008644/23

COMPANIES & INTELLECTUAL PROPERTY COMMISSION

2ND RESPONDENT

DRAFT ORDER

HAVING HEARD counsel on behalf of the parties and after perusal of the documents filed, the following order is made by agreement between the parties:

1. The First Respondent and all the other affected persons and/or interested parties are called upon to appear in this Court on **Tuesday, 14 May 2013 at 10h00** to show cause why an order in the following terms should not be granted:

- 1.1 The resolution adopted by the First Respondent, in accordance with the

provisions of Section 129(1) of the Companies Act, No 71 of 2008 (hereinafter referred to as "the Act"), is set-aside; and

- 1.2 The First Respondent is finally wound-up, in accordance with the provisions of Section 130(5)(c)(i) of the Act.

2. This order should be:

- 2.1 served on the First Respondent, at its registered address;
- 2.2 delivered at the office of the business rescue practitioner;
- 2.3 served on the First Respondent's employees, if any;
- 2.4 published in the Citizen Newspaper;
- 2.5 published in the Government Gazette;
- 2.6 delivered at the offices of the South African Revenue Services and the Master of this Court; and ✓
- 2.7 sent by pre-paid registered post and/or electronic mail (e-mail) and/or facsimile transmission to the following affected persons and/or interested parties: ↓

2.7.1 Laingsburg Bandediens, P O Box 18, Laingsburg, 6900

Email: bovergoor@yahoo.com ✓

Fax: (023) 551-1653

- 2.7.2 Supertreads, P O Box 954, Port Elizabeth, 6000
Email: accounts@supatreads.co.za
Fax: (041) 487-3406
- 2.7.3 Ferobrake Port Elizabeth, 23-24 Fraser Street, North End,
Port Elizabeth, 6056
Email: ferobrakepe@telkomsa.net
Fax: (041) 484-7990
- 2.7.4 Standard Bank of South Africa Ltd, P O Box 238,
Cape Town, 8000
Email: zimblini.lalile@standardbank.co.za
- 2.7.5 Supreme Trucks & Trailer Spares, Cnr Ries & Burman
Road, Deal Party, Port Elizabeth, 6001
Email: accounts@supremetruck.co.za
Fax: (041) 486-1179
- 2.7.6 Moore Stephens Chartered Accountants (SA),
54 Voortrekker Road, Humansdorp, 6300
Email: wk@hd.moorestephens.co.za
Fax : 086-658-8473
- 2.7.7 Wesbank, 4 Merchant Place, Cnr Fredman Drive &
Rivonia Road, Sandton, Gauteng, 2196
Email: rdavies@wesbank.co.za
Fax: (011) 373-9241 / 086-110-1829
- 2.7.8 JEC Spares CC, 30 Field Street, Worcester, 6850
Email: chris@jecspares.co.za
Fax: (023) 347-0097 / 086-241-6439

2.7.9 EP Filters, P O Box 28254, Sunridge Park,
Port Elizabeth, 6008
Email: admin@epfilters.co.za
Fax: (041) 484-1384

2.7.10 First National Bank Patensie, P O Box 51, Patensie, 6335
Email: businessrescuecommercial@fnb.co.za

2.7.11 P L Bodenstein h/a Marble Meganiese Herstelwerke,
Posbus 807, Marble Hall, 0450

2.7.12 W Botha, 17 Protea Street, Witbank, 1035.

3. The Applicant is ordered to pay the First Respondent's wasted costs occasioned by the appearance on Monday, 25 March 2013. Save as aforesaid, the remainder of the costs occasioned by this application are reserved for final determination on the return day.

By order, the Court

A B Rossouw AJ
A B Rossouw AJ

Registrar

