

I N D E P E N D E N T
C O R P O R A T E R E C O V E R Y A D V I S O R S

Independent Trustees (Pty) Limited (Reg No 2002/025164/07)
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Your Ref:

Our Ref: **R PIETERS / S DANEEL**

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Date: **20 OCTOBER 2008OCTOBER
2008**

TO ALL KNOWN CREDITORS

Dear Sir / Madam

ANGELFISH INVESTMENTS 878 CC (IN VOLUNTARY LIQUIDATION)
REGISTRATION NUMBER : 2002/023887/23
MASTER'S REFERENCE NUMBER : C548/2008

We refer to the above matter and enclose a copy of the Joint Liquidators' Report, together with Resolutions, to be adopted at the First Meeting of Creditors to be held before the Magistrate, Malmesbury, on Thursday, 30 October 2008 at 09h00.

We confirm that there is no danger of a contribution in this estate and claim documents are therefore enclosed for completion by creditors. Creditors are requested to lodge their completed claim documents timeously at our offices for proof at this meeting.

We take this opportunity of assuring you of our best attention at all times.

Yours faithfully

INDEPENDENT TRUSTEES (PTY) LIMITED

R PIETERS (MRS)
For JOINT LIQUIDATORS

ANGELFISH INVESTMENTS 878 CC
(IN VOLUNTARY IN LIQUIDATION)
REGISTRATION NUMBER : 2002/023887/23
MASTER'S REFERENCE NUMBER : C7548/2008

REPORT BY THE JOINT LIQUIDATORS, JOHANNES FREDERICK KLOPPER *and* KEVIN KIEWITZ, IN TERMS OF SECTION 79 OF THE CLOSE CORPORATION'S ACT, NO. 69 OF 1984, ("THE ACT"), TO BE SUBMITTED AT A FIRST MEETING OF CREDITORS AND MEMBERS TO BE HELD BEFORE THE MAGISTRATE, MALMESBURY, ON THURSDAY, 30 OCTOBER 2008 AT 09H00

INTRODUCTION AND MEETINGS

The Close Corporation was placed under creditor's winding-up by way of a Special Resolution registered with the Registrar of Companies and Close Corporations on **02 September 2008** as is provided for in Section 67(1) of the Close Corporation's Act, Act No. 69 of 1984, read with the provisions of the Companies Act, as is provided for in Section 66 of the Close Corporation's Act.

Johannes Frederick Klopper and Kevin Kiewitz have been appointed as Joint Liquidators by the Master of the High Court, Cape Town, ("the Master") in terms of Certificate of Appointment Number C548/2008.

FORMATION AND HISTORY OF THE CLOSE CORPORATION

It appears from documentation lodged that the Close Corporation was incorporated in terms of the Act under Registration Number 2002/023887/23 with its registered address situated at 288 Charles Street, Brooklyn, Tshwane, and its principal place of business situated at 151 Bakoond Street, Pearl Bay, Yzerfontein, Western Cape.

It appears from our investigations that the two members of the Close Corporation as at date of liquidation were:

- Gert Pieter Visser;
- Lorinda Visser.

The Close Corporation was registered for the purpose of property development in the building and selling of residential houses.

REPORT IN TERMS OF SECTION 79 OF THE ACT

SECTION 79(a) : ASSETS AND LIABILITES

The following represents the assets and liabilities of the Close Corporation as at date of liquidation based on the Statement of Affairs and information provided by the members. Unless otherwise stated, these figures represent estimates and may change depending on the claims submitted for proof.

ASSETS	AMOUNT {R}	AMOUNT{R}
<u>Immovable Property:</u>		
Erf 1598, Bakoond Street, Yzerfontein, estimated at <i>(Subject to a Mortgage Bond in favour of ABSA Bank Limited)</i>		R1 500 000,00
Erf 1899, Atlantic Drive, Yzerfontein, estimated at <i>(Subject to a Mortgage Bond in favour of ABSA Bank Limited)</i>		R1 300 000,00
Erf 1898, Atlantic Drive, Yzerfontein, estimated at <i>(Subject to a Mortgage Bond in favour of ABSA Bank Limited)</i>		R1 200 000,00
Erf 1952, Ixia Close, Yzerfontein, estimated at <i>(Subject to a Mortgage Bond in favour of ABSA Bank Limited)</i>		R620 000,00
Erf 5021, Moorreesburg, estimated at <i>(Subject to a Mortgage Bond in favour of Nedbank Limited)</i>		R580 000,00
SUB-TOTAL		R5 200 000,00
LIABILITIES		
Secured Creditors : Estimated at	R5 680 982,73	
Preferent Creditors : Unknown at this stage	Unknown	
Concurrent Creditors : Estimated at	R471 991,80	
SHORTFALL		R952 974,53
TOTAL	R6 152 974,53	R6 152 974,53

COMMENTS ON THE ASSETS

We will shortly approach the Master ~~of the High Court~~ for an extension of our powers in terms of Section 386(2A) of the Companies Act No. 61 of 1973 read with the provisions of the Act to sell the immovable properties situated in Yzerfontein and Moorreesburg either by way of a public auction or private treaty.

COMMENTS ON THE LIABILITIES

The liabilities relate in the main to monies due-owing to ABSA Bank in respect of their loans to the Close Corporation secured by Mortgage Bonds registered over four immovable properties and to Nedbank in respect of their loan secured by their Mortgage Bond registered over one immovable property (secured creditors).

The extent of monies owing to preferent creditors are unknown at this stage.

The balance of the liabilities relate to monies due-owing to various trade creditors in respect of services rendered and goods supplied (concurrent creditors).

SECTION 79(b): CAUSES OF THE CORPORATION'S FAILURE

According to the members, the Close Corporation's demise was as a result of the poor economic climate, high interest rates and the National ~~—~~Credit Act which became effective in 2007 and which made it difficult for potential buyers to purchase residential properties and which made it difficult for the Close Corporation to sell its properties.

In the light of the above, Close Corporation was unable to settle the claims of its creditors in the ordinary course of business. A creditor's winding-up by way of a Special Resolution was consequently registered with the Registrar of Companies and Close Corporations on 02 September 2008.

SECTION 79(c): CONTRAVENTIONS AND OFFENCES : SECTION 400(2) OF THE COMPANIES ACT READ WITH SECTION 66 OF THE ACT

At this stage it is unknown whether the former members have contravened provisions of the Companies Act read with the Act. The books and records still need to be examined and it needs to be investigated as to whether the legal provisions as required in respect of the keeping of such books and records have been complied with. We will furnish a report to the Master should it become necessary.

SECTION 79(d) : LIABILITIES OF MEMBERS

We are investigating whether the former members could be held personally liable to the Close Corporation:

- 1 on the grounds of breach of trust or negligence;

- 2 to make repayments to the Close Corporation in terms of Section 70(2) or (3) or Section 71(1) or (2) of the Act;
- 3 to either a creditor of the Close Corporation or to the Close Corporation itself.

Should information come to hand that would substantiate and confirm the above, a report will be submitted.

SECTION 79(e) : LEGAL PROCEEDINGS

We have no knowledge of any legal proceedings pending or threatened by or against the Close Corporation as at date of liquidation save for the actions relating to the recovery of debt caused by the liquidation.

SECTION 79(f) : ENQUIRY INTO FORMATION AND FAILURE

Based upon the information available to us at this stage, we cannot comment as yet whether an enquiry will be necessary with regard to the formation and failure of the Close Corporation. Should information come to hand that would warrant an enquiry, a report will be submitted.

SECTION 79(g) : BOOKS AND RECORDS

The books and records relating to the Close Corporation's affairs in terms of Section 79(g) of the Act have not yet been handed to us.

SECTION 79(h) : DIVIDEND PROSPECTS AND FURTHER ADMINISTRATION

It is evident from the assets and liabilities reflected above that there is no danger of a contribution in this estate.

SECTION 79(i) : MATTERS REQUIRING FURTHER DIRECTIONS OF CREDITORS

Such directions as required of creditors are contained in the draft Resolutions which are submitted for consideration and adoption by the creditors at this meeting in conjunction with this report. Creditors are requested to adopt these Resolutions to enable the administration of the Close Corporation in liquidation to be continued with and finalised.

GENERAL

1. In the light of recent criticism involving Liquidators' fees and a judgement in the Supreme Court of Appeal handed down in April 2004 and reported in January 2005, we deem it appropriate to bring to your attention our view that the Master of the High Court must tax Liquidators' fees in accordance with the tariff as is provided for in terms of Section 384(1) of the Companies Act, but having done so, the Master may reduce or

increase the amount arrived at by applying the tariff if, in his or her discretion, there is "good cause" to do so.

~~3-2.~~ The dominant provision of the aforesaid judgement is that the remuneration to which a Liquidator is entitled is remuneration for work or services rendered, not a set commission, and that it must be reasonable.

~~4-3.~~ The tariff serves as a point of departure for the determination of the appropriate fee. However, once taxation is complete, the Master has a flexible discretion to increase or decrease the amount of remuneration arrived at by the previous application of the tariff.

~~5-4.~~ The concept of 'good cause' is very wide and there is nothing in the Act which indicates that it should be interpreted so as to exclude any factor which may be relevant in determining what constitutes reasonable remuneration for a Liquidators' services in the circumstances of each case.

~~6-5.~~ Obviously, what factors are relevant will vary from case to case, but may certainly include aspects such as:

~~6-1-5.1.~~ _____ the complexity of the estate in question;

~~6-2-5.2.~~ _____ the degree of difficulty encountered by the Liquidators in the administration thereof;

~~6-3-5.3.~~ _____ the amount of work done by the Liquidators **and the time spent by them in the discharge of their duties involved.**

~~7-6.~~ If, in the administration of the estate particular difficulties are experienced by the Liquidators because of the nature of the assets or some other similar feature connected with the administration, this would undoubtedly constitute 'good cause' entitling the Master to increase the tariff remuneration.

~~8-7.~~ In view of the above we hereby advise that we have resolved to keep time records of the work done by our staff in order to enable the Master to be guided along the above-mentioned guidelines and are in the process of writing up detailed time sheets of the effort and correspondence in this matter which will then be presented to the Master when submitting the next account in this matter.

~~9-8.~~ We also wish to bring to your attention that the SCA held in the above-mentioned reported judgement that an hourly fee of R1 800,00 for a Liquidator based on the experience and qualifications of the parties in that matter would not be inappropriate. For your information we also advise that the charge out rates of our staff will be based on this rate as a point of departure and taking into consideration the qualifications of our staff.

SIGNED AT STELLENBOSCH ON THIS _____ DAY OF OCTOBER 2008

.....
JOHAN JOHANNES FREDERICK KLOPPER
JOINT LIQUIDATOR

and

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SIGNED AT TYGER VALLEY ON THIS _____ DAY OF OCTOBER 2008

.....
KEVIN KIEWITZ
JOINT LIQUIDATOR

C/O INDEPENDENT TRUSTEES (PTY) LIMITED
P O BOX 820
STELLENBOSCH
7599

TELEPHONE: _____ (021) 880 5400
TELEFAX: _____ (021) 880 5430

ANGELFISH INVESTMENTS 878 CC
(IN VOLUNTARY IN LIQUIDATION)
REGISTRATION NUMBER : 2002/023887/23
MASTER'S REFERENCE NUMBER : C5748/2008

RESOLUTIONS TO BE SUBMITTED AND ADOPTED AT THE FIRST MEETING OF CREDITORS AND MEMBERS TO BE HELD BEFORE THE MAGISTRATE, MALMESBURY, ON THURSDAY, 30 OCTOBER 2008 AT 09H00

RESOLVED THAT:

- 1 The report of the Provisional Joint Liquidators or Joint Liquidators, as the case may be, hereinafter referred to as "the Joint Liquidators", as submitted, be received and adopted and all their actions referred to therein be and are hereby confirmed, ratified and approved.
- 2 All actions of whatsoever nature heretofore taken by the Joint Liquidators be and are hereby confirmed, ratified and approved.
- 3 The Joint Liquidators be granted the authority and is vested with all the powers mentioned in Section 386(4)(a) – (i) of the Companies Act No. 61 of 1973, as amended, such powers to be exercised at their sole and absolute discretion.
- 4 The Joint Liquidators be and are hereby authorised in their sole and absolute discretion to:
 - 4.1 Take legal advice on any question of law affecting the administration and distribution of the corporation;
 - 4.2 Institute or defend on behalf of the Close Corporation any action or other legal proceedings of a civil nature for the recovery of monies due to the Close Corporation or otherwise and subject to the provisions of any law relating to criminal procedure, institute any criminal proceedings;
 - 4.3 Hold any enquiry into the affairs of the Close Corporation and/or any matter relating thereto;

- 4.4 Investigate and institute legal proceedings for the recovery of any voidable or undue preferences, voidable dispositions of property or any other impeachable transactions of whatsoever nature and to abandon same at any time;
- 4.5 Write up the books of the Close Corporation as may be required, and if necessary, to produce a balance sheet, audited or not, as at the date of liquidation, either for the purpose of investigating the affairs of the Close Corporation, establishing the claims of creditors, or any other purpose.
- 5 The Joint Liquidators be and are hereby authorised in their sole and absolute discretion to employ and engage the services of attorneys and/or counsel (senior and/or junior) and/or accountants and/or bookkeepers and/or any employee of the Close Corporation and/or recording agents and/or any other person who in the sole discretion of the Joint Liquidators may be of assistance in the winding-up of the Close Corporation in relation to any matter referred to in 4 above and further to pay all the costs thereof of whatsoever nature out of the estate as costs incurred in the liquidation.
- 6 The Joint Liquidators be and are hereby authorised to collect any debts due to the Close Corporation and for the purpose thereof to sell or compound or compromise any of these debts for such sum and upon such terms and conditions as they in their sole discretion may deem fit, and to accept any part of the debt in settlement thereof, and to grant an extension of time for the payment of any such debt, and to abandon any debt which they in their sole discretion may deem to be irrecoverable.
- 7 The Joint Liquidators be and are hereby authorised to dispose of any movable and immovable property of the Close Corporation, whether in their possession or under their control now or to come into their possession or under their control in the future by public auction, private treaty or public tender upon such terms and conditions as they in their sole and absolute discretion shall determine and to abandon any such assets for which they can find no purchaser or abandon them to a secured creditor at the value placed thereon by such creditor or at such value as is agreed upon by the Joint Liquidators and the creditor if such creditor's claim is secured by such assets and to sign all such documents as may be necessary to give effect to such disposition.
- 8 The Joint Liquidators be and are hereby authorised and empowered in their sole discretion to compromise and admit any claim against the Close Corporation of whatsoever nature and howsoever arising, whether disputed or not and whether actual, contingent, prospective, conditional, unconditional, assessed, unassessed, liquidated or unliquidated as a liquidated claim in terms of Section 78(3) of the Insolvency Act No. 24 of 1936 as amended, read with Section 339 of the Companies Act No. 61 of 1973 as amended, at such amount as may be agreed upon by the Joint Liquidators, provided that proof thereof has been tendered at a meeting of creditors.
- 9 The Joint Liquidators be and are hereby authorised to make application for the destruction of books and records of the estate six months after the confirmation of the Final Liquidation and Distribution Account.
- 10 The Joint Liquidators be and are hereby authorised to perform any act or exercise any power for which they are not expressly required by the Companies Act No. 61 of 1973, as amended, to obtain the leave of the Court.

- 11 The Joint Liquidators be and are hereby authorised to submit to the determination of arbitrators any dispute concerning the Close Corporation or any claim or demand by or upon the Close Corporation.
- 12 The Joint Liquidators be and are hereby authorised to carry on or discontinue any part of the business of the Close Corporation insofar as may be necessary for the beneficial winding-up thereof.
- 13 The Joint Liquidators be and are hereby authorised to exercise mutatis mutandis the powers conferred upon a Liquidator by Section 35 (uncompleted acquisition of immovable property before liquidation) and Section 37 (effect of liquidation upon a lease) of the Insolvency Act No. 24 of 1936, as amended, read with Section 339 of the Companies Act No. 61 of 1973, as amended.
- 14 The creditors hereby consent to the Joint Liquidators' remuneration ("the remuneration") being taxed by The Master of High Court in terms of Section 384 of the Act **at the higher figure** of:
 - 14.1 the prescribed tariff as is contained in Annexure CM 104 to the Winding Up Regulations to the Act;
 - 14.2 the increased amount of work done by the Joint Liquidators in terms of the actual time spent by their staff in the discharge of their duties in the winding-up as is reflected on properly kept timesheets at the charge out tariff of the respective professional and administrative staff and which will be deemed to be good cause for the increase of such remuneration.
- 15 The remuneration referred to in 14 above may further be increased based on aspects such as:
 - 15.1 the complexity of the estate in question;
 - 15.2 the degree of difficulty encountered by the Joint Liquidators in the administration of the estate, and
 - 15.3 particular difficulties experienced by the Joint Liquidators because of the nature of the assets or some other similar feature connected with the winding-up.
- 16 The further administration of the affairs of the Close Corporation be left entirely in the hands and at the discretion of the Joint Liquidators.

CREDITOR / MEMBER

MAGISTRATE, MALMESBURY

INDEPENDENT
CORPORATE RECOVERY ADVISORS

Independent Trustees (Edms) Bpk
(Reg No 2002/025164/07)
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BEËDIGDE VERKLARING tot bewys van 'n ander vordering as 'n vordering op grond van 'n Promesse of ander Wissel. [Art. 44(4)].
AFFIDAVIT for the proof of any claim other than a claim based on Promissory Note or other Bill of Exchange [Section 44(4)].

IN DIE SAAK/INSOLVENTE BOEDEL (7) VAN
IN THE MATTER/INSOLVENT ESTATE (7) OF

ANGELFISH INVESTMENTS 878 CC (IN VOLUNTARY LIQUIDATION)

("Die Maatskappy/Beslote Korporasie/Insolvent") (7) ("The Company/Close Corporation/Insolvent") (7)

in Likwidasie (7).
In Liquidation (7).

NAAM VAN SKULDEISER
NAME IN FULL OF CREDITOR

("Die Skuldeisers") ("The Creditor")

VOLLEDIGE ADRES
ADDRESS IN FULL

POSBUS NR
PO BOX NO

TOTALE BEDRAG VAN VORDERING
TOTAL AMOUNT OF CLAIM

R

Ek, (1)

verklaar hiermee onder eed:

I, (1)

do hereby make an oath and say:

Dat ek die (2)

is van (3)

That I am (2)

of (3)

Dat ek persoonlik kennis dra van die feite hierin uiteengesit.
That I have personal knowledge of the facts hereinafter stated.

Dat (4) **ANGELFISH INVESTMENTS 878 CC (IN VOLUNTARY LIQUIDATION)**

Welke Maatskappy/Beslote Korporasie in Likwidasie/van wie die Boedel insolvent verklaar (7) is, op die dag van Likwidasie/Sekwestrasie (7) en nou nog
Which Company/Close Corporation has been placed in Liquidation/whose Estate has been sequestrated (7) was at the date of Liquidation/Sequestration
verskuldig is aan die Skuldeiser vir die som van (woorde)
(7) and still is truly indebted to the Creditor in the sum of (words)

Vir (5)

For (5)

Dat voormelde skuld ontstaan het op die wyse en op die datum soos op die hierby aangehegte rekening uiteengesit, wat voldoen aan die vereistes
That the said debt arose in the manner and at the time set forth in the annexed account, complying with the provisions of Section 44(6) of

Van Artikel 44(6) van Wet 24 van 1936.

Act 24 of 1936

Dat geen ander persoon buiten die Maatskappy/Beslote Korporasie/Insolvent vir die voormelde skuld of enige deel daarvan aanspreeklik is nie (behalwe as borg)
That no other person besides the Company/Close Corporation/Insolvent is liable (otherwise than as surety) for the said debt or any part thereof.

Dat nóg die Skuldeiser nóg enige ander persoon, volgens my wete, namens die Skuldeiser enige sekuriteit vir die voormelde skuld of enige deel
That the Creditor has not, nor any other person, to my knowledge on the Creditor's behalf received any security for that said debt or any part

Daarvan ontvang het nie, behalwe (6)

Thereof save and except (6)

welke sekuriteit ek waardeer teen
which security I value at

Dat hierdie vordering nie verkry is deur sessie na die instelling van die proses vir die Likwidasie van die Maatskappy/Beslote Korporasie/Sekwestrasie van
That this claim was not acquired by cession after the institution of the proceedings by which the Company/Close Corporation was placed in
die Boedel (7) nie.

Liquidation/Estate was Sequestrated (7).

Handtekening van Deponent (8)

Signature of Deponent (8)

Ek sertifiseer hiermee dat die deponent verklaar het dat hy/sy die inhoud van hierdie verklaring verstaan en begryp en dat dit die waarheid is na die beste van sy/haar kennis en wete, welke
I hereby certify that the Deponent has acknowledged that he/she knows and understands the contents of this affidavit which was signed and sworn before me

Verklaring voor my geteken en beëdig is te

At

op hierdie dag van 20, en dat daar voldoen is aan die bepalings vervat
on the day of 20, the regulations contained in Government Gazette

In Goewermentskennisgewing Nr. R1258 van 21 Julie 1972, soos gewysig, en Goewermentskennisgewing Nr. R1648 van 19 Augustus 1977, soos gewysig.
Notice No R1258 of 21 July 1972, as amended, and Government Gazette Notice No R1648 of 19 August 1977, as amended, having been complied with.

Volle naam en adres van Kommissaris
Full name and address of Commissioner

KOMMISSARIS VAN EDE/COMMISSIONER OF OATHS

NOTAS:

1. Volle Naam.
2. Dui hier die verwantskap met die krediteur aan bv. Bestuurder, Direkteur, ens. of skrap indien deponent die krediteur is.
3. Volle naam van krediteur.
4. Naam van Maatskappy/Beslote Korporasie in Likwidasie/Insolvent.
5. Soort transaksie bv. Goedere verkoop en gelewer.
6. Meld hier aard, of besonderhede en waarde van verbande ander sekuriteit (indien enige)
7. Skrap en parafereer die alternatiewe woorde soos nodig.
8. 'n Persoon wat optree namens 'n Maatskappy/Beslote Korporasie moet die verklaring persoonlik teken.

NOTES:

1. Full name.
2. Here state the relation of the deponent to the creditor, as Manager, Director, etc., or strike out if the deponent is the creditor.
3. Full name of creditor.
4. Name of Company/Close Corporation in liquidation/insolvent.
5. Type of transaction e.g. goods sold and delivered.
6. Here insert nature, particulars and value of mortgage, pledge or other security (if any).
7. Strike out and initial the alternative words not required.
8. A Deponent acting on behalf of a Company/Close Corporation must personally sign the Affidavit.

STATEMENT OF ACCOUNT

in terms of Section 44(6) of the Insolvency Act.

In the case of the claim being in respect of goods sold and delivered on an open account.
This statement should be completed in every respect and attached to your claim document.

Name and Address of Creditor:

Name of Insolvent Estate/Company/
Close Corporation in Liquidation:

ANGELFISH INVESTMENTS 878 CC (IN VOLUNTARY LIQUIDATION)

Brief Description of goods Supplied:

DETAILS OF SALES

Date	Invoice No.	Amount	Monthly Totals (Not Progressive)

TOTAL DEBITS "A" R

DETAILS OF PAYMENTS RECEIVED AND CREDITS ALLOWED

Date	Payments or Credits (Specify)	Amount	Monthly Totals (Not Progressive)

TOTAL DEBITS "B" R

.....

AMOUNT OF CLAIM AS PER AFFIDAVIT i.e. "A" LESS "B" R

.....

- NOTE:
- (1) If no payments were received or credits given, state "NIL" under "B".
 - (2) "A" and "B" must reflect full period of trading or for period of 12 months before date of sequestration, whichever is the lesser.
 - (3) A brief description of goods sold must be given i.e. Groceries, Clothing etc.

**PROKURASIE VIR DIE BEWYS VAN EISE ENS.
POWER OF ATTORNEY TO PROVE CLAIMS ETC.**

Ek, die ondergetekende
I, the undersigned

in my hoedanigheid as
in my capacity as

van
of

(Hierna verwys as die genoemde Skuldeiser) benoem, konstitueer en stel hierby aan
(Hereinafter referred to as the said Creditor) do hereby nominate constitute and appoint

met Mag van Substitusie om die genoemde Skuldeiser se wettige Prokureur en Agent te wees, en in die genoemde
with power of substitution to be the said Creditor's lawful Attorney and Agent in the said Creditor's name, place and

Skuldeiser se naam en namens die genoemde Skuldeiser alle vergaderings van Skuldeisers by te woon, in die saak van
stead, to attend all meetings of Creditors in the matter of

ANGELFISH INVESTMENTS 878 CC (IN VOLUNTARY LIQUIDATION)

en namens die genoemde skuldeiser, die genoemde Skuldeiser se eis te bewys, en om namens die genoemde Skuld-
on the said Creditor's behalf to prove the said Creditor's claim to exercise on the said Creditor's behalf all voting and other
eiser te stem en om alle magte uit te oefen ten opsigte van sodanige eis met betrekking tot die aanstelling van 'n Kurator/
powers in respect of such claim particularly in respect of the appointment of a Trustee/Liquidator and/or any offer of

Likwidateur en/of enige aanbod van Komposisie en/of voorlegging tot arbitrasie van enige dispuut t.o.v. die
Composition and/or submission to arbitration of any dispute and/or the Composition or admission of any

Komposisie of toelating van enige eis teen die Boedel/Maatskappy/Beslote Koperasie en om aan die
claim against the Estate/Company/Close Corporation and to give the Trustee/s/Liquidator/s/ directions as to the

Kurator/e/Likwidateur/s aanduidings te gee, in verband met die administrasie van die Boedel/Maatskappy/Beslote
administration of the Estate/Company/Close Corporation and generally to act on the said Creditor's behalf at all meetings

Korporasie en om in die algemeen op te tree namens die genoemde Skuldeiser op alle vergaderings van die
of the Estate/Company in all matters and things in which the said Creditor's interests are concerned, hereby promising to

Boedel/Maatskappy in alle sake waarin die genoemde Skuldeiser belange het, en beholwe hiermee om goed te keur en te
ratify and confirm whatsoever the Agent may do or perform by virtue of these presents.

bekragtig wat ook al die genoemde Agent mag doen of te weeg bring uit kragte hiervan.

GEDATEER hierdie dag van 20
TF this day of 20

AS GETUIES:
AS WITNESSES:

- _____
HANDTEKENING/SIGNATURE
- _____

NOTES FOR COMPLETION OF CLAIM FORMS

1. AFFIDAVIT

1.1. Completion And Signature

The Commissioner of Oaths must print his full name and business address below his signature and state his designation and the area for which he holds his appointment or by which office held by him if he holds his appointment *ex officio*. Alterations must be initialled by declarant and Commissioner of Oaths.

1.2. SECURITY

If security is claimed, then the amount at which the creditor values such security must be inserted. A secured creditor who relies upon his security should state that fact on the Affidavit above the signature of the Declarant. (See 2.5 below).

1.3. Promissory Notes Etc.

Where the claim is in respect of Promissory Notes, Bills of Exchange or Cheques, the appropriate Affidavit form should then be completed which can be obtained by request from the Liquidator/Trustee.

2. SUPPORTING VOUCHERS

2.1. Goods Supplied on Open Account

A detailed Statement as per attached, supporting the Affidavit must be attached to the claim, showing the monthly total and a brief description of the purchases and the payments for the full period of trading or for a period of 12 months immediately prior to the date of sequestration/liquidation, whichever is the lesser.

Furnish explanations why any item is dated after Insolvency/Judicial Management/Liquidation.

2.2. Money Lent

Annex detailed statement of account plus Acknowledgement of Debt or receipts or paid cheques.

2.3. Interest

Must be calculated to date of Provisional Order of Liquidation/Judicial Management/Sequestration. Rate of interest and periods must be shown. (No interest is claimable on open accounts unless an agreement by the debtor to pay such interest is annexed).

2.4. Legal Charges

Annex Attorney's Taxed Bill of Costs which must show dates of the items therein.

2.5. Mortgage Bonds and HP Agreements

Annex original documents and detailed statements. Refer 1.2 above re valuation of security and 2.3 above re calculation of interest.

2.6. Rent

Annex original lease (if any) and detailed statement of rent due to date of Provisional Order of Sequestration/Liquidation/Judicial Management showing rental and periods.

2.7. Suretyships

Annex original documents and detailed statement of claim against principal debtor.

3. POWER OF ATTORNEY

Where a limited Company/Close Corporation proves a claim, the Power of Attorney must be signed by a Director or any other person authorised by Resolution and a copy of such Resolution, as per enclosed documents must be annexed to the Power of Attorney.

4. VOTING

Should you be unable to attend the meeting, and you are prepared to agree to a representative to be appointed by the General Body of Creditors, may we suggest that the POWER OF ATTORNEY be completed with the relevant portion left blank and initialled.

AANTEKENINGE BY DIE VOLTOOIING VAN EISDOKUMENTE

1. BEËDIGDE VERKLARING

1.1. Voltooiing en Ondertekening

Die Kommissaris van Ede moet sy volle naam en besigheidsadres in drukletters onder sy handtekening aanbring en sy ampstitel en die gebied waarvoor hy aangestel is of sy amp, indien hy ampsshalwe aangestel is, meld.

Veranderinge moet deur die Deklarant en die Kommissaris van Ede geparafeer word.

1.2. Sekuriteit

Indien sekuriteit geëis word, moet die skuldeiser die bedrag waarteen hy sy sekuriteit waardeer, invul. 'n Versekerde skuldeiser wat hom uitsluitend verlaat op sy sekuriteit moet daardie feit te kenne gee op die Beëdigde Verklaring bo die handtekening van die Deklarant. (Sien 2.5 hieronder).

1.3. Promesse, ens.

Indien die eis ten opsigte van Promesses, Wissels of Tjeks is, moet 'n aparte Beëdigde Verklaring voltooi word wat op aanvraag van die Likwidateur/Kurator verkry kan word.

2. STAWENDE BEWYSSTUKKE

2.1. Goedere op ope rekening gelewer

Die Staat wat aan die Beëdigde Verklaring geheg is moet voltooi word. Die Staat moet 'n kort beskrywing van die aankope, die maandelikse totaal daarvan en alle betalings ontvang of krediete toegestaan, vir die volle tydperk van handeldrywe of vir 'n tydperk van 12 maande onmiddellik voor datum van die Sekwestrasie/Likwidasie, welke ookal die kortste is, aandui.

2.2. Geld Geleen

Heg 'n gespesifiseerde rekening plus Erkenning van Skuld of kwitansie of betaalde tjeks aan.

2.3. Rente

Moet tot by die datum van Voorlopige Sekwestrasie-, Likwidasie- of Geregtelike Bestuursbevel bereken word. Rentekoers en tydperk moet getoon word. (Geen rente mag gevorder word op ope rekenings nie, tensy 'n ooreenkoms deur die skuldenaar om sodanige rente te betaal, aangeheg is).

2.4. Regskoste

Die Prokureur se getakseerde rekening wat die datums van die items daarin toon, moet aangeheg word.

2.5. Verbande en Huurkoop-ooreenkomste

Heg die oorspronklike dokumente en gespesifiseerde staat aan. Verwys na 1.2 hierbo ten opsigte van die waardasie van sekuriteit en 2.3 hierbo ten opsigte van berekening van rente.

2.6. Huurgeld

Heg die oorspronklike huurkontrak aan (indien enige) en 'n gespesifiseerde staat wat die huur verskuldig tot op datum van Voorlopige Sekwestrasie-, Likwidasie- of Geregtelike Bestuursbevel, die maandelikse huurgeld en die tydperk aantoon.

2.7. Borgskappe

Heg die oorspronklike dokumente en 'n gespesifiseerde Staat van die eis teen die hoofskuldenaar aan.

3. PROKURASIE

Indien 'n Maatskappy/Beslote Korporasie 'n eis bewys, moet die Prokurasie geteken word deur 'n Direkteur of enige ander persoon wat deur 'n Spesiale Besluit daartoe gemagtig is. 'n Afskrif van sodanige Besluit moet aan die PROKURASIE geheg word.

4. STEMREG

Indien u nie die vergaderings kan bywoon nie en u bereid is om toe te stem dat 'n verteenwoordiger aangestel word deur die Algemene Meerderheid van Skuldeisers, stel ons voor dat u die PROKURASIE voltooi en die betrokke gedeelte vir die nominasie van 'n verteenwoordiger ooplaat en parafeer.

(PTY) LIMITED/CLOSE CORPORATION
(EDMS) BEPERK/BESLOTE KORPORASIE

CERTIFIED EXTRACT FROM THE MINUTES OF A MEETING OF DIRECTORS/MEMBERS OF THE
ABOVENTIONED COMPANY/CLOSE CORPORATION HELD
GESERTIFISEERDE UITTREKSEL VAN DIE NOTULE VAN 'N VERGADERING VAN DIE DIREKTEURE/LEDE
VAN BOVERMELDE MAATSKAPPY/BESLOTE KORPORASIE,

AT
GEHOU TE

ON THE DAY OF 20
OP DIE DAG VAN 20

IT WAS RESOLVED:
DIT IS BESLUIT:

That Mr.
Dat Mnr

A director/secretary/accountant/ member
'n direkteur/sekretaris/rekenmeester/lid

of the Company/Close Corporation, be and is hereby authorised and empowered to sign all the necessary
van die Maatskappy/Beslote Korporasie, is en word hiermee gemagtig om alle nodige dokumente te onderteken

documents to enable the Company/Close Corporation to prove its claim against
om die Maatskappy/Beslote Korporasie In staat te stel om hulle eis te bewys teen

ANGELFISH
INVESTMENTS 878 CC (IN
VOLUNTARY
LIQUIDATION)

To attend meetings of creditors of the said Estate, and to speak and vote on behalf of the Company/Close
En om alle vergaderings van skuldeisers van die genoemde Boedel, by te woon en te stem names die

Corporation, with power, in his discretion to substitute and appoint any other persons to attend such meetings on
Maatskappy/Beslote Korporasie in sy diskresie, met mag van substitusie, en om enige persoon of persone to

the Company's/Close Corporation's behalf and to vote thereat.
benoem om sodanige vergaderings namens die Maatskappy/Beslote Korporasie by te woon en daar te stem.

.....
CERTIFIED A TRUE COPY
GESERTIFISSEER 'N WARE AFSKRIF

.....
AUTHORISED OFFICIAL
GEMAGTIGDE AMPTENAAR