

HIGHVELD SYNDICATION NO 15 LIMITED: REGISTRATION NUMBER (2003/031064/06)  
HIGHVELD SYNDICATION NO. 16 LIMITED REGISTRATION NUMBER: (2003/031129/06)  
HIGHVELD SYNDICATION NO. 17 LIMITED, REGISTRATION NUMBER: (2003/025913/06)  
HIGHVELD SYNDICATION NO. 18 LIMITED, REGISTRATION NUMBER: (2003/030778/06)  
HIGHVELD SYNDICATION NO. 19 LIMITED, REGISTRATION NUMBER: (2003/030144/06)  
HIGHVELD SYNDICATION NO. 20 LIMITED, REGISTRATION NUMBER: (2005/029425/06)  
HIGHVELD SYNDICATION NO. 21 LIMITED, REGISTRATION NUMBER: (2005/027601/06)  
HIGHVELD SYNDICATION NO. 22 LIMITED, REGISTRATION NUMBER: (2005/027390/06)

(“the companies”)

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**BUSINESS RESCUE STATUS REPORT IN TERMS OF SECTIONS 132 OF THE COMPANIES ACT, 71 OF 2008 (“THE ACT”) READ WITH REGULATION 125 OF THE ACT FILED BY THE BUSINESS RESCUE PRACTITIONER JF KLOPPER AND A NOTICE IN TERMS OF SECTIONS 145 AND 146 OF THE ACT.**

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1. Earlier status reports contain the detail in relation to the companies having been placed under business rescue and the appointment of Johannes Frederick Klopper as Business Rescue Practitioner (“BRP”) of the companies at the time.
2. Furthermore, all the information about the adoption of a Business Rescue Plan (“the Plan”) and a scheme of arrangement between Orthotouch and its creditors which was sanctioned by the High Court of South Africa on 26 November 2014 (“the scheme of arrangement”) are also contained in previous reports. The previous status reports in these matters also contain details of the attempt by certain parties who operate under name of the HSAG to have the sanctioned scheme of arrangement set aside. They initiated their setting aside application in March 2015 and it is now almost eight years later and they have not been able to have the matter heard in court. It took them more than four years to file their replying affidavit in the matter but continue to have the gall to accuse other parties, including the BRP, of delaying this and other matters.
3. The BRP’s March 2022 status report contains a summary of events in this matter and it was pointed out in the 31 December 2022 status report that an application by the applicants to have the setting aside application transferred to Pretoria was issued in the wrong court. They issued this application in the Pretoria High Court instead of in Johannesburg.
4. However, without the BRP’s knowledge the applicants had surreptitiously launched a similar application out of the Johannesburg High Court on 14 December last year. The attorneys representing the applicants wrote to the case manager in the Pretoria court and informed her that they had issued another application in the Johannesburg High Court and falsely stated in that communication to the Judge that the application had been served on all the respondents

whilst it, in truth, had not been served on all the respondents and definitely not on the BRP. These false communications to the Judge by the attorneys only became known to the BRP during January 2023.

5. This misrepresentation of the true facts is in addition to the lies contained the media-statement by the attorneys representing the so-called HSAG investors when they commented in the media in an article dated 13 December 2022 on Moneyweb. Despite the false statement being brought to the attention of the journalist the latter persisted with the article, refused to retract it and persisted with having his article containing this false statement being available online.
6. In the meantime, the applicants in the Smith application continue to delay the hearing of the matter as they know that the relief sought in their case is stillborn because of the scheme of arrangement being sanctioned by the High Court more than eight years ago.
7. The attorneys representing the HSAG, after having done almost nothing to progress the matter for almost 8 years, however continue to collect contributions to their legal fees from elderly investors.



JF KLOPPER

BUSINESS RESCUE PRACTITIONER  
Date: **31 January 2023**