

## **MEMORANDUM TO ALL AFFECTED PERSONS**

**31 May 2017**

Dear Sir/Madam

### **STATUS REPORT IN TERMS OF SECTION 132 (3) (a) OF THE COMPANIES ACT 71 OF 2008 (“THE ACT”) RELATING TO FOLLOWING COMPANIES IN THE PLATINUM GROUP:**

<b>JENNI BUTTON (PTY) LTD:</b>	<b>REGISTRATION NUMBER 1997/009010/07</b>
<b>RAPITRADE 6 (PTY) LTD:</b>	<b>REGISTRATION NUMBER 2002/011253/07</b>
<b>RAPITRADE 7 (PTY) LTD:</b>	<b>REGISTRATION NUMBER 2002/011160/07</b>
<b>RAPITRADE 9 (PTY) LTD:</b>	<b>REGISTRATION NUMBER 2002/011294/07</b>
<b>RAPITRADE 26 (PTY) LTD:</b>	<b>REGISTRATION NUMBER 2002/013216/07</b>
<b>TRESSO TRADING 102 (PTY) LTD:</b>	<b>REGISTRATION NUMBER 2000/015521/07</b>
<b>ROWMOOR INVESTMENTS 329 (PTY) LTD</b>	<b>REGISTRATION NUMBER 2001/021287/07</b>

**(“THE COMPANIES”)**

1. We refer to the above matter and to our previous status reports since November 2015.
2. This is a joint status report by J. du Toit (“Jacques”) and J.F Klopper (“Hans”) as the duly appointed joint business rescue practitioners (“BRP’s”) in all the above companies save for Rowmoor Investments 329 (Pty) Limited (“Rowmoor”) where Jacques was appointed as the sole BRP.
3. The BRP’s, management and shareholders of the abovementioned companies have been engaged in on-going discussions with various parties since the commencement of proceedings in all of the above entities in July to August 2015.
4. The BRP’s have been advised that trading has now commenced in Gateway under the auspices of separate unrelated entities.
5. The BRP’s, management and shareholders still do not have, as was repeatedly reported during the past few months, access to funding and the position still remains that no funds are as yet available for payment to the BRP’s for their remuneration and expenses or to any other parties who have a right of preference as provided for in terms of section 135 of the Companies Act 71 of 2008 (“the Act”) as was referred to in more detail in paragraph 19.1 of our memorandum dated 30 June 2016 (“June status report”).

6. The BRPs have engaged further with various affected persons as was set out in paragraphs 6 – 22 of our June status report.
7. Based on the engagement with various parties as set out in the June status report the BRP's and such affected parties the BRP's have commenced negotiations to finally negotiate the terms of the transaction in terms of Section 134 (1)(a)(ii) of the Act as was alluded to in paragraph 19 of our June 2016 status report. The finalisation of this agreement was not completed and the parties will be engaged again for this purpose.
8. The BRP's reiterate that subsequent to our June 2016 status report we have after, further investigation and consideration, determined that any surplus stock or proceeds thereof that might have been available after satisfaction of the claims of the secured creditors mentioned in paragraph 9 of the June 2016 status report, would have accrued to Merchant Commercial Finance 1 (Pty) Limited ("Merchant") with a claim of R40 404 190,00 against Rowmoor and each of the companies and who holds a General Notarial Bond over all movables that vest in Rowmoor and the companies. As a consequence, Merchant will also be a party to the written agreement.
9. Discussions to propose a commercially sensible business rescue plan for the companies have been ongoing and a mechanism to procure a basis to enable the BRP's to establish a fund from which to pay BR expenses, employee costs post the commencement of business rescue and thereafter make a proposal to creditors is still being explored.
10. We will continue to engage with affected parties to provide reasons as to why the companies ought not to be placed in liquidation and provide us with details of a proposed restructuring.
11. Creditors are hereby advised that there are no funds to pay attorneys to launch liquidation applications in respect of the companies.

**JF KLOPPER & J DU TOIT**

**BUSINESS RESCUE PRACTITIONERS**

(Sent electronically and therefore not signed)