



Du Toit Business
RESCUE PRACTICE

70 CARMINE DRIVE
BURGUNDY ESTATE
TEL: 021 948 2224
info@dtbbusinessrescue.co.za
www.dtbbusinessrescue.co.za

TO AFFECTED PARTIES

12 April 2021

Dear Sirs

ZEPHAN PROPERTIES (PTY) LTD (IN BUSINESS RESCUE) & ORTHOTOUCH (PTY) LTD (IN BUSINESS RESCUE) / DECLARATORY ORDER APPLICATION

1. The above matters refer.
2. I address this letter to you, in my capacity as the duly appointed business rescue practitioner for Zephan (Pty) Ltd (in business rescue) (“Zephan”) and Orthotouch (Pty) Ltd (in business rescue) (“Orthotouch”), in accordance with the provisions of Regulation 125 of the Companies Act 71 of 2008 (“the Act”).
3. This notice is addressed to you, since you are an affected person in the business rescue proceedings of Orthotouch and Zephan, as defined in section 128(1)(a) of the Act, quoted hereunder for ease of reference:

“affected person”, in relation to a company, means –

- (i) a shareholder or creditor of the company;*
- (ii) any registered trade union representing employees of the company; and*
- (iii) if any of the employees of the company are not represented by a registered trade union, each of those employees or their respective representatives.”*

4. I further draw your attention to the provisions contained in section 145(1)(a) and (b):

“Each creditor is entitled to –

- (a) notice of each court proceedings, decision, meeting or other relevant event concerning the business rescue proceedings;*
- (b) participate in any court proceedings arising during the business rescue proceedings;”*

5. Pursuant to the above, I have previously provided all affected persons with a complete list of active court actions which have been required to defend / oppose via a Dropbox link. This is likewise available via the Orthotouch Website.



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6. To supplement the foregoing, documentation filed to date pursuant to the Declaratory order is listed below:

A) Jacques du Toit N.O. as Business Rescue Practitioner of the Companies / Theron & Partners and 7 others under Case Number 4049/2021 in the High Court of SA , Gauteng Division, Pretoria issued on the 28th day of January 2021.

6.1.a Notice of Motion;

6.2.a Founding Affidavit, with Annexures thereto.

6.3.a Notice to oppose.

Documentation dropbox link:

https://www.dropbox.com/sh/debzbq6uw8wfvlgf/AADVvdu4SgpF_D5FI03UTzEna?dl=0

7. Please note that all of the court process which I have in my possession or control in the abovementioned matters, can be obtained from the Dropbox link provided above.

8. Should you have any difficulty accessing the documents kindly send an email to Sanja Elzerman, Administrative Manager, admin@orthotouch.co.za , contact telephone number 087 997 0545.

Yours faithfully,

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'D' followed by a smaller 'T' and 'O', all enclosed within a large, loopy oval shape.

Jacques du Toit

Senior Business Rescue Practitioner

(In terms of Section 138 and Regulation 127(2) of the Companies Act, Act 71 of 2008)

(B. PROC, DIP. TAX, ATTORNEY, NOTARY, CONVEYANCER)