

18 November 2019

THIS DOCUMENT IS IMPORTANT AND REQUIRES YOUR IMMEDIATE ATTENTION

**ORTHOTOUCH (PTY) LTD**

**REGISTRATION NUMBER: 2010/004096/07 ("THE COMPANY")**

---

**NOTICE TO CREDITORS**

---

This document is a Notice to Creditors relating to a meeting of creditors in terms of Section 147 of the Companies Act, Act 71 of 2008 as amended ("Companies Act").

And incorporates:

- Important information relating to the Date, Time and Venue of the meeting;
- Relevant information in terms of Section 147 of the Companies Act.

**A. NOTICE OF FIRST MEETING OF CREDITORS OF THE COMPANY**

Notice is hereby given to the known creditors/affected persons in terms of Section 147 of the Companies Act of the First Meeting of Creditors which is being convened under the Chairmanship of the Business Rescue Practitioner at the place, date and time fixed by the Chairman, namely at:

Hotel Apollo  
158 Bram Fischer Drive  
Ferndale  
Randburg  
2194

**ON**

**Thursday, 28 November 2019**

**Commencing at 11h00**

## **B. INTRODUCTION**

1. The Company commenced business rescue proceedings and was placed under supervision on 7 November 2019 (Filed at CIPC).
2. Jacques du Toit (“Du Toit”) was appointed as the Business Rescue Practitioners (“BRP”) for the Company by appointment documentation dated the 14 November 2019 (Filed at CIPC).
3. In terms of Section 147 of the Companies Act, the BRP is obliged to convene and preside over a first meeting of creditors within ten (10) business days after his appointment.

## **C. AGENDA FOR FIRST MEETING OF CREDITORS**

4. In terms of Section 147 of the Companies Act, the agenda for the first meeting of creditors is as follows:
  - 4.1. A summary of the business rescue process and the time periods involved therein;
  - 4.2. The BRP’s view as to whether or not there is a reasonable prospect of rescuing the Company, as envisaged in terms of Section 147 Companies Act, along with related, general information in this regard;
  - 4.3. Submission of claims against the Company to the BRP (See attached Claim and Proxy forms);
  - 4.4. Consideration and appointment of members of a creditors’ committee;
  - 4.5. Determine the date of Publication of the Business Rescue plan
  - 4.6. Approval of the fee agreement in terms of the act
  - 4.7. General discussion / questions.

## **D. SUBMISSION OF CLAIMS AGAINST THE COMPANY**

5. Creditors are invited to complete the attached claim form, setting out their claims against the Company for receipt by the BRP at the first creditors meeting.

**E. GENERAL**

6. The creditors of the Company may determine whether or not a committee of creditors should be appointed and, if so, may appoint the members of the creditors' committee at the meeting.
7. At the creditors meeting of the Company, a decision supported by the holders of a simple majority of the independent creditors' voting interests will be the decision of the meeting on that particular matter. Please note that an independent creditor is a person who is a creditor of the Company (who can also be an employee), and who is not related to the Company, the director of the Company or to the BRP.
8. Creditors are entitled to be represented by legal representatives at the meeting of creditors.
9. The meeting is open only to creditors of the Company and/or their representatives and thus only those persons may be present at the meeting.

A handwritten signature in black ink, consisting of several loops and a final flourish, positioned above a horizontal line.

**JACQUES DU TOIT**

Appointed Senior Business Rescue Practitioner of the Company

18 November 2019