

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

CASE NO.: 57045/2020

In the matter between:

|   |                 |
|---|-----------------|
| <b>KINGSGATE CLOTHING (PTY) LTD T/A<br/>MAJESTIC CLOTHING MANUFACTURERS,<br/>PRINCETON SCHOOLWEAR MANUFACTURERS AND<br/>STAR CLOTHING MANUFACTURERS</b> | First Applicant |
|---|-----------------|

|                        |                  |
|------------------------|------------------|
| <b>MAYTEX LINEN CC</b> | Second Applicant |
|------------------------|------------------|

|                               |                 |
|-------------------------------|-----------------|
| <b>SUPER OCEAN TRADING CC</b> | Third Applicant |
|-------------------------------|-----------------|

|                          |                  |
|--------------------------|------------------|
| <b>MAYTEX CARDING CC</b> | Fourth Applicant |
|--------------------------|------------------|

|                              |                 |
|------------------------------|-----------------|
| <b>CRUISE COLLECTIONS CC</b> | Fifth Applicant |
|------------------------------|-----------------|

|  |                 |
|--|-----------------|
| <b>TWIN CLOTHING MANUFACTURERS (PTY) LTD</b> | Sixth Applicant |
|--|-----------------|

|                                     |                   |
|-------------------------------------|-------------------|
| <b>APPAREL INDUSTRIES (PTY) LTD</b> | Seventh Applicant |
|-------------------------------------|-------------------|

|                                   |                  |
|-----------------------------------|------------------|
| <b>CLEMATIS TRADING (PTY) LTD</b> | Eighth Applicant |
|-----------------------------------|------------------|

and

|   |                  |
|---|------------------|
| <b>EDCON LIMITED (IN BUSINESS RESCUE)</b> | First Respondent |
|---|------------------|

|   |                   |
|---|-------------------|
| <b>PIERS MARSDEN<br/>(JOINT BUSINESS RESCUE PRACTITIONER)</b> | Second Respondent |
|---|-------------------|

|  |                  |
|--|------------------|
| <b>LANCE SCHAPIRO<br/>(JOINT BUSINESS RESCUE PRACTITIONER)</b> | Third Respondent |
|--|------------------|

|                          |                   |
|--------------------------|-------------------|
| <b>JUSTICE FDJ BRAND</b> | Fourth Respondent |
|--------------------------|-------------------|

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**NOTICE OF INTERLOCUTORY APPLICATION IN TERMS OF  
PRACTICE DIRECTIVE 2 OF 2020**

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**BE PLEASED TO TAKE NOTICE THAT** application will be made at 10h00 on \_\_\_\_\_ 2021, or as soon thereafter as counsel may be heard for an order in the following terms:

1. Compelling the Applicants to deliver and/or upload their heads of argument, practice note and chronology table within 3 (three) days from the date of this order, failing which, the Applicants' application will *ipso facto* be struck out, with costs, including the costs of two counsel where so employed;
2. Costs of this application;
3. For such further and/or alternative relief as the above Honourable Court may deem fit.

**TAKE FURTHER NOTICE THAT** the First to Third Respondents have appointed the offices of **EDWARD NATHAN SONNENBERGS INC.** situated at The Marc | Tower 1, 129 Rivonia Road, Sandown, Sandton c/o **JACOBSON & LEVY INC.** situated at Building A, First Floor, 141 Boshoff Street, Nieuw Muckleneuk, Pretoria at which address they will accept service of all notices and process in these proceedings.

**BE PLEASED TO TAKE NOTICE FURTHER THAT** the affidavit of **LETITIA FIELD** will be used in support of this application.

**KINDLY ENROL THE MATTER FOR HEARING ACCORDINGLY.**

Dated at Sandton on this the 21<sup>st</sup> day of June 2021.

**(Sgd) J. LEVY**

---

**EDWARD NATHAN SONNENBERGS INC.**  
Attorneys for the First to Third Respondents  
The Marc | Tower 1  
129 Rivonia Road  
Sandown, Sandton

Tel: (011) 269 7600  
Email: [lfield@ensafrica.com](mailto:lfield@ensafrica.com)  
(Ref: L Field)  
**C/O JACOBSON & LEVY INC.**  
Building A,  
First Floor  
141 Boshoff Street  
Nieuw Muckleneuk  
Pretoria  
*Ref J Levy/K5917*

**TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT**  
Pretoria

**AND TO: PATHER AND PATHER ATTORNEYS INC.**  
Attorneys for the Applicants  
3 Nollsworth Crescent  
Nollsworth Park  
La Lucia  
Tel: (031) 3044 212  
Email: [kuben@patherandpather.co.za](mailto:kuben@patherandpather.co.za)  
Ref: KUBEN MOODLEY/lg/  
**C/o MACROBERTS INC.**  
MacRobert Building  
Cnr. Justice Mohammed & Jan Shoba Streets  
Brooklyn  
Pretoria  
Tel: (012) 425 3451  
Ref: AVN/sg

**AND TO: COUZYN HERTZOG & HORAK**  
Attorneys for the Fourth Respondent  
321 Middel Street  
Brooklyn  
Pretoria  
Tel: (012) 460 5090  
Ref: Oosthuizen/am/C549  
Email: [annaliem@couzyn.co.za](mailto:annaliem@couzyn.co.za)

**IN THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG DIVISION, PRETORIA**

CASE NO.: 57045/2020

In the matter between:


|  |                   |
|--|-------------------|
| <b>KINGSGATE CLOTHING (PTY) LTD T/A</b>  | First Applicant   |
| <b>MAJESTIC CLOTHING MANUFACTURERS,<br/>PRINCETON SCHOOLWEAR MANUFACTURERS AND<br/>STAR CLOTHING MANUFACTURERS</b> |                   |
| <b>MAYTEX LINEN CC</b>   | Second Applicant  |
| <b>SUPER OCEAN TRADING CC</b>  | Third Applicant   |
| <b>MAYTEX CARDING CC</b>   | Fourth Applicant  |
| <b>CRUISE COLLECTIONS CC</b>   | Fifth Applicant   |
| <b>TWIN CLOTHING MANUFACTURERS (PTY) LTD</b>   | Sixth Applicant   |
| <b>APPAREL INDUSTRIES (PTY) LTD</b>  | Seventh Applicant |
| <b>CLEMATIS TRADING (PTY) LTD</b>  | Eighth Applicant  |
| and  |                   |

|  |                   |
|--|-------------------|
| <b>EDCON LIMITED (IN BUSINESS RESCUE)</b>                      | First Respondent  |
| <b>PIERS MARSDEN<br/>(JOINT BUSINESS RESCUE PRACTITIONER)</b>  | Second Respondent |
| <b>LANCE SCHAPIRO<br/>(JOINT BUSINESS RESCUE PRACTITIONER)</b> | Third Respondent  |
| <b>JUSTICE FDJ BRAND</b>                                       | Fourth Respondent |

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**AFFIDAVIT IN SUPPORT OF INTERLOCUTORY APPLICATION  
IN TERMS OF PRACTICE DIRECTIVE 2 OF 2020**

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 036-4

I, the undersigned,

**LETITIA FIELD,**

do hereby make oath and say:

1. I am an adult female attorney practicing as such with the firm **EDWARD NATHAN SONNENBERGS INC. ("ENS")**, situated at The Marc, Tower 1, 129 Rivonia Road, Sandown, Sandton.
2. ENS is the attorney of record for the First, Second and Third Respondents ("the Respondents") in the main application under the above case number ("the main application"). I am the attorney dealing with the main application and am duly authorised to depose to this affidavit.
3. The facts contained in this affidavit are within my personal knowledge, save where the contrary appears from the context, and are true and correct.
4. This is an application for an order in terms of Practice Directive 2 of 2020 to compel the Applicants to file their practice note, heads of argument and chronology table.
5. The Applicants have made application to this Court for an order in the following terms:
  - 5.1. That the award made by the Fourth Respondent (in the dispute resolution proceedings) on 22 September 2020 be and is hereby set aside.
  - 5.2. That the matter be referred, premised on the record that served before the Fourth Respondent, for fresh determination by Justice Nugent alternatively Justice Claassen.
  - 5.3. Alternatively to prayer 2 above, such relief as this Honourable Court deems meet.

- 5.4. Further declaratory relief in respect of security furnished or to be furnished by the Second and Third Respondents.
6. After the issuing of the main application:
- 6.1. The Respondents delivered a notice to oppose on 18 November 2020.
- 6.2. The Respondents delivered their answering affidavit on 9 December 2020.
- 6.3. The Applicants delivered their replying affidavit on 12 January 2021.
7. In accordance with the practice of this Court, the Applicants were required to deliver a consolidated index within 5 days of delivery of their replying affidavit and their heads of argument within 10 days thereafter.
8. The Applicants failed to do so.
9. Consequently, on 1 March 2021, I addressed an email to the Applicants' attorneys, Pather and Pather Attorneys Inc. ("Pather Attorneys"), recording the aforesaid failure and requesting the Applicants to comply with the practice of this Court without further delay.
10. On 4 March 2021, Pather Attorneys reverted and advised *inter alia* that they would file the Applicants' consolidated index "shortly".
11. The Applicants failed to do so.
12. Consequently, on 21 April 2021, I addressed a further email to Pather Attorneys, recording the aforesaid failure and advising that should the Applicants fail to deliver the consolidated index and heads of argument by close of business on 30 April 2021, they would be required to file a notice of withdrawal of the main application and tender the wasted costs.

13. On 22 April 2021, Pather Attorneys reverted and provided indices to the main application, and recorded that the Applicants' "*respective Heads of Argument will now be filed in due course*". The indices were uploaded to CaseLines on 23 April 2021.
14. On 14 May 2021, I addressed an email to Pather Attorneys recording *inter alia* that in terms of the practice of this Court, the Applicants' heads of argument would be due on 14 April 2021 and that ENS awaited same before close of business on 14 May 2021.
15. The Applicants failed to do so.
16. On 24 May 2021, I addressed a further email to Pather Attorneys recording the Applicants' failure to deliver their heads of argument and enquiring if the Applicants would be filing a notice of withdrawal in respect of the main application.
17. On 24 May 2021, Pather Attorneys reverted as follows:

"...

*We apologise for not reverting to you sooner.*

*We confirm that our clients still intend proceeding with the said review application.*

*Our clients' senior counsel has been under immense work pressure in other matters, which were unfortunately dictated by timeliness beyond his control.*

*We are currently liaising with our clients' senior counsel and we hope to file our heads of argument for the abovementioned proceedings within the next two weeks.*

*We apologise for any inconvenience caused and thank you for your understanding.*

"..."

18. A copy of the email chain reflecting the aforementioned correspondence is attached hereto, marked "LF1".
19. Once again, the Applicants failed to deliver their heads of argument within the two week period.
20. On 18 June 2021, being 10 days from the expiry of the aforesaid two week period, the Respondents delivered their heads of argument, list of authorities and practice note. A copy was also uploaded to CaseLines.
21. On 19 June 2021, Pather Attorneys responded as follows:
- "...
- We confirm receipt of your clients' Heads of Argument and Practice Note.*
- We apologise for the delay in the delivery of the Applicants' Heads of Argument and Practice Note and advise that same will be delivered by no later than the second week of July 2021.*
- ...".
22. A copy of the aforesaid email chain is attached hereto, marked "LF2".
23. Evidently, the Applicants have failed to comply with the practice of this Court and even their own repeated undertakings. Simply put, the Respondents cannot rely on the further undertaking provided by Pather Attorneys in LF2.
24. The Respondents and the affected persons of the First Respondent (which is in business rescue), are being prejudiced by the delay in the finalisation of the main application. The relief sought in the main application has a detrimental impact on the concurrent dividend payable to affected persons of the First Respondent. It is



therefore imperative that the main application be finalised without further delay so that there is certainty in the business rescue proceedings in respect of the First Respondent.

25. In the event that the Applicants do not comply with the order sought, the Respondents require, in accordance with Practice Directive 2 of 2020, that the main application be struck out *ipso facto*, with costs, including the costs of two counsel where so employed. In this regard, the parties have been represented throughout in the dispute resolution proceedings and in this court by two counsel. It is a matter involving large amounts of money, thousands of creditors, tens of thousands of employees and is of importance to all involved.
26. In the premises, on behalf of the Respondents, I pray for an order in terms of the notice of motion to which this affidavit is annexed.



LETITIA FIELD

I certify that:

- I. the Deponent acknowledged to me that :
  - a. She knows and understands the contents of this declaration;
  - b. She has no objection to taking the prescribed oath;
  - c. She considers the prescribed oath to be binding on her conscience.
- II. the Deponent thereafter uttered the words, "I swear that the contents of this declaration are true, so help me God";
- III. the Deponent signed this declaration in my presence at the address set out hereunder on 21 June 2021.



COMMISSIONER OF OATHS

PIETER ERNST SCHOEMAN  
 Kamm. Van Ede / Comm. Of Oaths (ex officio)  
 Geakkrediteerde Rekenmeester G.R. (SA) /  
 Chartered Accountant C.A (SA)  
 Pearl Valley Golf Estates  
 R301 Wemmershoek Road, Paarl, 7646  
 Tel: 021 867 8010

"LF1"

**Fiona Cowley**

**From:** Kuben Moodley <Kuben@patherandpather.co.za>  
**Sent:** 24 May 2021 10:46 AM  
**To:** Letitia Field  
**Cc:** Gary Oertel; Lynell Ganesan; Jesse Naidoo  
**Subject:** KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Madam

Your email below refers.

We apologise for not reverting to you sooner.

We confirm that our clients still intend proceeding with the said review application.

Our clients' senior counsel has been under immense work pressure in other matters, which were unfortunately dictated by timelines beyond his control.

We are currently liaising with our clients' senior counsel and we hope to file our heads of argument for the abovementioned proceedings within the next two weeks.

We apologise for any inconvenience caused and thank you for your understanding.

Kind regards



**PATHER & PATHER**  
 ATTORNEYS-AT-LAW & FISCAL ADVISORS

**Kuben Moodley**  
 Director

3 Nollsworth Crescent, Nollsworth Office Park  
 La Lucia, KwaZulu Natal, South Africa  
 Tel: (+27) 31 304 4212  
 Cell: (+27) 84 761 5657

[www.patherandpather.co.za](http://www.patherandpather.co.za)

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**From:** Letitia Field <lfield@ensafrica.com>  
**Sent:** Monday, 24 May 2021 10:24  
**To:** Kuben Moodley <Kuben@patherandpather.co.za>  
**Cc:** Gary Oertel <goertel@ensafrica.com>; Lynell Ganesan <lynell@patherandpather.co.za>; Jesse Naidoo <jesse@patherandpather.co.za>  
**Subject:** RE: KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)  
**Importance:** High

Dear Sirs

We refer to the above application.

We record that, despite our email correspondence below, your clients have failed to deliver their heads of argument.

Please advise if your clients will be filing a notice of withdrawal in respect of the above application.

Regards

## Letitia Field

Executive

Insolvency, Restructuring and Business Rescue

+27 11 269 7600

+27 82 787 9504

[lfield@ENSAfrica.com](mailto:lfield@ENSAfrica.com)

[ENSAfrica locations](#)



ENSAfrica email distribution

**From:** Letitia Field

**Sent:** 14 May 2021 01:03 PM

**To:** Kuben Moodley <[Kuben@patherandpather.co.za](mailto:Kuben@patherandpather.co.za)>

**Cc:** Gary Dertel <[gdertel@ensafrica.com](mailto:gdertel@ensafrica.com)>; Lynell Ganesan <[lynell@patherandpather.co.za](mailto:lynell@patherandpather.co.za)>; Jesse Naidoo <[jesse@patherandpather.co.za](mailto:jesse@patherandpather.co.za)>

**Subject:** RE: KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Sirs

According to our calculations, in terms of the applicable practice directives your clients' heads are due today.

We await delivery of same before close of business today.

Regards

**From:** Kuben Moodley <[Kuben@patherandpather.co.za](mailto:Kuben@patherandpather.co.za)>

**Sent:** 22 April 2021 01:05 PM

**To:** Letitia Field <[lfield@ensafrica.com](mailto:lfield@ensafrica.com)>

**Cc:** Gary Dertel <[gdertel@ensafrica.com](mailto:gdertel@ensafrica.com)>; Lynell Ganesan <[lynell@patherandpather.co.za](mailto:lynell@patherandpather.co.za)>; Jesse Naidoo <[jesse@patherandpather.co.za](mailto:jesse@patherandpather.co.za)>

**Subject:** KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Madam

Your email of yesterday refers.

We unaware of any practice directive or procedure that will require a party to withdraw an opposed application and tender costs, due to the non-compliance in filing a consolidated index or heads of argument in a matter.

Nevertheless, kindly find attached indices for the review application and record for your attention.

Copies of same will be uploaded on the caselines system.

Further, our clients respective Heads of Argument will now be filed in due course.

Kind regards



**From:** Letitia Field [lfield@ensafrica.com](mailto:lfield@ensafrica.com)  
**Sent:** Wednesday, 21 April 2021 5:13 PM  
**To:** Kuben Moodley [kuben@patherandpather.co.za](mailto:kuben@patherandpather.co.za)  
**Cc:** Gary Oertel [goertel@ensafrica.com](mailto:goertel@ensafrica.com); Lynell Ganesan [lynell@patherandpather.co.za](mailto:lynell@patherandpather.co.za); Jesse Naidoo [jesse@patherandpather.co.za](mailto:jesse@patherandpather.co.za)  
**Subject:** RE: KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)  
**Importance:** High

Dear Sirs

We refer to your email of 4 March 2021.

To date, your clients have failed to file the consolidated index and heads of argument in the above matter.

Should your clients fail to file the consolidated index and heads of argument by close of business on 30 April 2021, they will be required to file a notice of withdrawal of the above matter and tender the wasted costs.

Regards

## Letitia Field

Director

Insolvency, Restructuring and Business Rescue

+27 11 269 7600

+27 82 787 9504

[lfield@ensafrica.com](mailto:lfield@ensafrica.com)

[ENSAfrica Locations](#)



ENSAfrica email disclaimer

**From:** Kuben Moodley <[kuben@patherandpather.co.za](mailto:kuben@patherandpather.co.za)>  
**Sent:** 04 March 2021 02:47 PM  
**To:** Letitia Field <[lfield@ensafrica.com](mailto:lfield@ensafrica.com)>  
**Cc:** Gary Oertel <[goertel@ensafrica.com](mailto:goertel@ensafrica.com)>; Lynell Ganesan <[lynell@patherandpather.co.za](mailto:lynell@patherandpather.co.za)>; Jesse Naidoo <[jesse@patherandpather.co.za](mailto:jesse@patherandpather.co.za)>  
**Subject:** FW: KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Madam

Your email below refers.

Thank you for bringing this to my attention.

We will file our consolidated index for the abovementioned review proceedings shortly.

Kind regards



**Kuben Moodley**

Director

Tel: (+27) 031 304 4212

Mobile: (+27) 84 761 5657

Find us at our new offices in Umhlanga. [Click here for directions](#)

35442/patherandpather.co.za

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**From:** Letitia Field <[lfield@ensafrica.com](mailto:lfield@ensafrica.com)>

**Sent:** Monday, 01 March 2021 16:51

**To:** Kuben Moodley <[Kuben@patherandpather.co.za](mailto:Kuben@patherandpather.co.za)>

**Cc:** Gary Oertel <[goertel@ensafrica.com](mailto:goertel@ensafrica.com)>; Lynell Ganesan <[lynell@patherandpather.co.za](mailto:lynell@patherandpather.co.za)>; Jesse Naidoo <[jesse@patherandpather.co.za](mailto:jesse@patherandpather.co.za)>

**Subject:** KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Sirs

We refer to the above application.

We note that your clients have failed to comply with the relevant practice directive in that they have not delivered a consolidated index or their heads of argument within the required time periods.

Please note that your clients are required to comply with the practice directive without further delay.

All of our clients' rights are reserved.

Regards

**Letitia Field**

Director

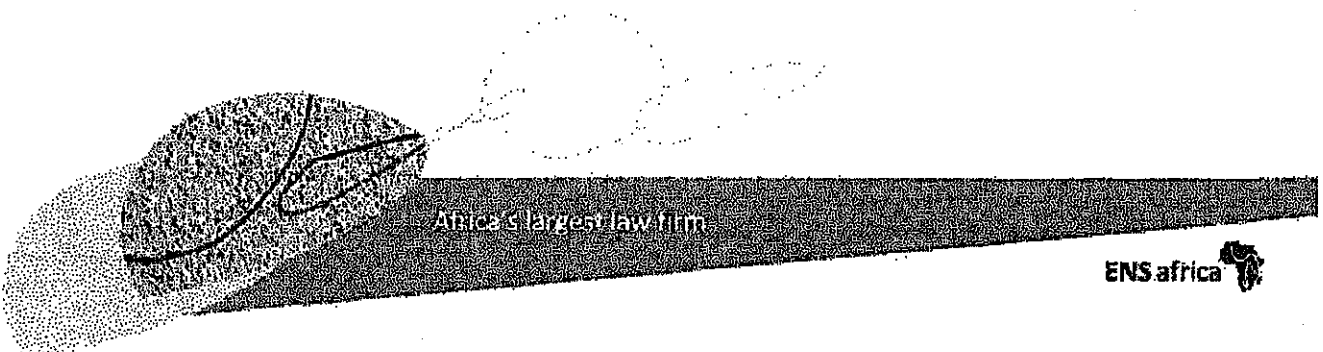
Insolvency, Restructuring and Business Rescue

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ENS africa



Edward Nathan Sonnenberg Incorporated | registration number 2006/018200/21  
level 1 BBOEE rating

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"LF2"

**Fiona Cowley**

**From:** Kuben Moodley <Kuben@patherandpather.co.za>  
**Sent:** 19 June 2021 01:47 PM  
**To:** Letitia Field  
**Cc:** Gary Oertel; Lynell Ganesan; Jesse Naidoo  
**Subject:** RE: KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Madam

We confirm receipt of your clients' Heads of Argument and Practice Note.

We apologise for the delay in the delivery of the Applicants' Heads of Argument and Practice Note and advise that same will be delivered by no later than the second week of July 2021.

Kind regards

**PATHER & PATHER**

**Kuben Moodley**  
 Director

3 Nollsworth Crescent, Nollsworth Office Park  
 La Lucia, KwaZulu Natal, South Africa  
 Tel: (+27) 31 304 4212  
 Cell: (+27) 84 761 5657

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**From:** Letitia Field <lfield@ensafrica.com>  
**Sent:** Friday, 18 June 2021 4:49 PM  
**To:** Kuben Moodley <Kuben@patherandpather.co.za>  
**Cc:** Gary Oertel <goertel@ensafrica.com>; Lynell Ganesan <lynell@patherandpather.co.za>; Jesse Naidoo <jesse@patherandpather.co.za>  
**Subject:** KINGSGATE CLOTHING & OTHERS / EDCON LIMITED & OTHERS (CASE NO.: 57045/2020)

Dear Sirs

We hereby serve the first to third respondents' practice note and heads of argument.

Regards

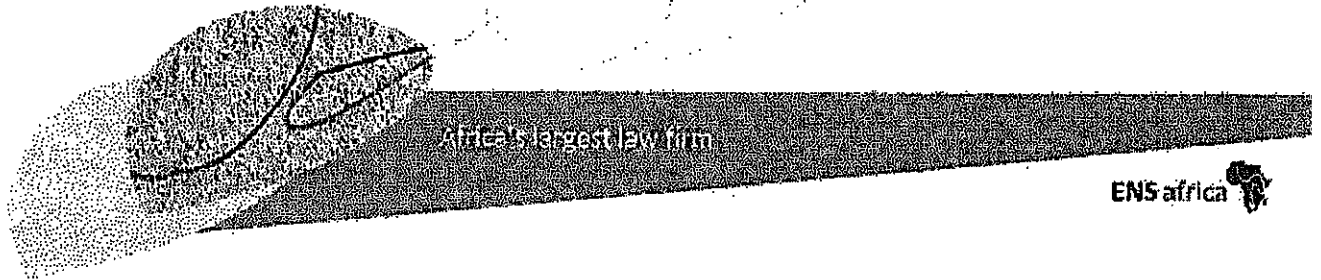
**Letitia Field****Executive**


Insolvency, Restructuring and Business Rescue

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+27 82 787 9504

[lfield@ENSAfrica.com](mailto:lfield@ENSAfrica.com)[ENSAfrica Locations](#)



 Edward Nathan Sonnenbergs (Incorporated) registration number 2006/018700/23  
level 2 B-BBEE rating

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## IN THE HIGH COURT OF SOUTH AFRICA

## GAUTENG DIVISION, PRETORIA

CASE NO.: 57045/2020

In the matter between:

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PRINCETON SCHOOLWEAR MANUFACTURERS AND  
STAR CLOTHING MANUFACTURERS~~

MAYTEX LINEN CC Second Applicant

SUPER OCEAN TRADING CC Third Applicant

MAYTEX CARDING CC Fourth Applicant

CRUISE COLLECTIONS CC Fifth Applicant

TWIN CLOTHING MANUFACTURERS (PTY) LTD Sixth Applicant

APPAREL INDUSTRIES (PTY) LTD Seventh Applicant

CLEMATIS TRADING (PTY) LTD Eighth Applicant

and

EDCON LIMITED (IN BUSINESS RESCUE) First Respondent

PIERS MARSDEN Second Respondent  
(JOINT BUSINESS RESCUE PRACTITIONER)LANCE SCHAPIRO Third Respondent  
(JOINT BUSINESS RESCUE PRACTITIONER)

JUSTICE FDJ BRAND Fourth Respondent

---

NOTICE OF INTERLOCUTORY APPLICATION IN TERMS OF  
PRACTICE DIRECTIVE 2 OF 2020

---

**BE PLEASED TO TAKE NOTICE THAT** application will be made at 10h00 on 25th of August 2021, or as soon thereafter as counsel may be heard for an order in the following terms:

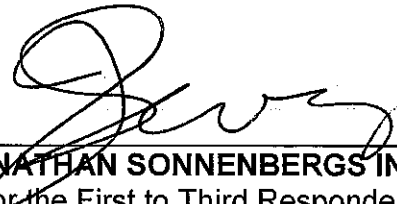
1. Compelling the Applicants to deliver and/or upload their heads of argument, practice note and chronology table within 3 (three) days from the date of this order, failing which, the Applicants' application will *ipso facto* be struck out, with costs, including the costs of two counsel where so employed;
2. Costs of this application;
3. For such further and/or alternative relief as the above Honourable Court may deem fit.

**TAKE FURTHER NOTICE THAT** the First to Third Respondents have appointed the offices of **EDWARD NATHAN SONNENBERGS INC.** situated at The Marc | Tower 1, 129 Rivonia Road, Sandown, Sandton c/o **JACOBSON & LEVY INC.** situated at Building A, First Floor, 141 Boshoff Street, Nieuw Muckleneuk, Pretoria at which address they will accept service of all notices and process in these proceedings.

**BE PLEASED TO TAKE NOTICE FURTHER THAT** the affidavit of **LETITIA FIELD** will be used in support of this application.

**KINDLY ENROL THE MATTER FOR HEARING ACCORDINGLY.**

Dated at Sandton on this the 21<sup>st</sup> day of June 2021.



**EDWARD NATHAN SONNENBERGS INC.**  
Attorneys for the First to Third Respondents  
The Marc | Tower 1  
129 Rivonia Road  
Sandown, Sandton

Tel: (011) 269 7600  
 Email: [lfield@ensafrika.com](mailto:lfield@ensafrika.com)  
 (Ref: L Field)  
 C/O JACOBSON & LEVY INC.  
 Building A,  
 First Floor  
 141 Boshoff Street  
 Nieuw Muckleneuk  
 Pretoria  
*Ref: J Levy/k5917*

**TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT**  
 Pretoria

**AND TO: PATHER AND PATHER ATTORNEYS INC.**

Attorneys for the Applicants  
 3 Nollsworth Crescent  
 Nollsworth Park  
 La Lucia  
 Tel: (031) 3044 212  
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 Ref: KUBEN MOODLEY/lg/  
 C/o **MACROBERTS INC.**  
 MacRobert Building  
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 Brooklyn  
 Pretoria  
 Tel: (012) 425 3451  
 Ref: AVN/sg

**MacRobert**  
 Attorneys

2021-07-16

Without prejudice of clients rights  
 Sonder benadeling van klient se regte  
 Sign / Geteken

14:52

**AND TO: COUZYN HERTZOG & HORAK**

Attorneys for the Fourth Respondent  
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 Brooklyn  
 Pretoria  
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**Sonder benadeling van Regte**  
**Without Prejudice**

RECEIVED / ONTVANG

2021 -07- 16

COUZYN HERTZOG & HORAK