



Date: 19 August 2021

To: Affected Persons

NOTICE TO AFFECTED PERSONS OF COURT PROCEEDINGS INSTITUTED AGAINST EDCON LIMITED (IN BUSINESS RESCUE) (“EDCON”) AND THE JOINT BUSINESS RESCUE PRACTITIONERS (“BRPS”) OF EDCON UNDER CASE NO: 19064/21

1. Please note that pursuant to the provisions of sections 144, 145, and 146 of the Companies Act, 71 of 2008 as amended (“Companies Act”), notice is hereby given to all affected persons of court proceedings instituted by Kingsgate Clothing (Pty) Limited and 9 Others (“applicants”) against Edcon and the BRPs.
2. In accordance with Regulation 6 of the Companies Act, the details of the abovementioned court proceedings are as follows:
 - 2.1. On 16 August 2021, the applicants furnished the BRPs with a copy of an application in terms of which the applicants seek an order *inter alia*:
 - 2.1.1. granting the applicants leave to institute action proceedings against Edcon in terms of section 133(1)(b) of the Companies Act and are directed to do so within 30 days of the grant of the order sought;
 - 2.1.2. granting the applicants leave to join the creditors of Edcon, in the action proceedings, as a group to be referred to as the “Creditors of Edcon Limited in Business Rescue”;
 - 2.1.3. granting the applicants leave to serve the action proceedings on the Creditors of Edcon Limited in Business Rescue by way of substituted service via the provisions of section 145(1)(a) of the Companies Act;
 - 2.1.4. directing the BRPs to serve the action proceedings on the Creditors of Edcon Limited in Business Rescue, within 5 days of receipt of same from the applicants, in accordance with the provisions of section 145(1)(a) of the Companies Act, and to forthwith deliver an affidavit in confirmation of the fact that they have done so;
 - 2.1.5. directing the applicants to pay the BRPs all the reasonable costs incurred by the BRPs in giving effect to the order sought in the previous sub-paragraph; and

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Chief Executive Officer: G M Pattison
Directors: G M Pattison | A R Bisogno
Group Secretary: C M Vikisi

Edcon Limited Registration No. 2007/003525/06 Credit Provider Number: NCRCP82

2.1.6. alternatively, declaring that notice by the BRPs as contemplated in section 145(1)(a) of the Companies Act will constitute substantial compliance with the requirement to serve the action proceedings on the Creditors of Edcon Limited in Business Rescue and will be sufficient to satisfy such requirement.

2.2. Edcon and the BRPs will oppose the abovementioned application and will file an answering affidavit in due course.

3. The abovementioned application, as well as any further papers filed therein, can be found on www.matusonassociates.co.za/edcon.

Yours faithfully

EDCON LIMITED

(in business rescue)



LANCE SCHAPIRO N.O.

Joint Business Rescue Practitioner

[on behalf of the Joint Business Rescue Practitioners of Edcon Limited]