

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And


<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

FILING NOTICE

KINDLY TAKE NOTICE that the EDJ CLASS 2 INVESTORS herewith files:

1. OPPOSING AFFIDAVIT – ELNA DE JAGER
2. CONFIRMATORY AFFIDAVIT – PAULUS STEFANUS SWANEPOEL
3. CONFIRMATORY AFFIDAVIT – CHARLES GRAHAM KING
4. CONFIRMATORY AFFIDAVIT – RUDOLPH JACOBUS BOSSERT
5. CONFIRMATORY AFFIDAVIT – SIMONE MICHAELA BOSSERT
6. CONFIRMATORY AFFIDAVIT – RUDOLPH JACOBUS BOSSERT ON BEHALF OF MIENCKE CHRISTA BOSSERT

DATED AT BLOEMFONTEIN ON THIS 28TH DAY OF OCTOBER 2022.



ATTORNEY FOR DEFENDANTS
EDJ ATTORNEYS INC
71 MCHARDY DRIVE
BRANDWAG
BLOEMFONTEIN
TEL: 051 444 2892
EMAIL: samantha@edjinc.co.za

TO: REGISTRAR OF THE HIGH COURT
CAPE TOWN

AND TO: **ATTORNEY FOR THE PLAINTIFFS**
STRYDOM RABIE HEIJSTEK & FAUL INC.
DELMONDO OFFICE PARK
169 GARSFONTEIN ROAD, ASHLEA GARDENS
PRETORIA, GAUTENG
TEL: 012 786 0954
EMAIL: susan@srhfinc.co.za

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

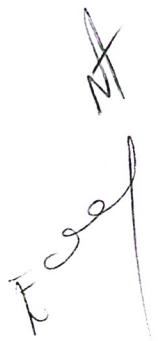
<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

OPPOSING AFFIDAVIT AFFIDAVIT

I the undersigned,

ELNA DE JAGER

State under oath as follows:

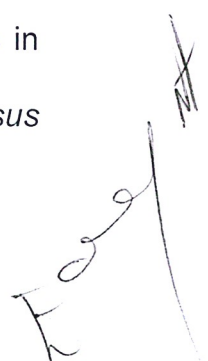


1. The contents hereof fall within my personal knowledge and are both true and correct, unless it appears otherwise from the context.
2. I am an adult female attorney identity number 690620 0066 08 4 practicing as such in the name in and the style of EDJ ATTORNEYS INC at 71 McHardy Drive, Brandwag, Bloemfontein, Free State.
3. I have been mandated by 2151 investors in the scheme which was offered to the public by Mirror International Trading (in liquidation) ("MTI").
4. I am the attorney of record in of the fourth respondent, Mr Cecil John Jacob Rowe in the pending application before the Honourable Justice De Wet, bearing case number 15426/2021, concerning the validity of the scheme which MTI had offered to the public ("case number 15426/2021").
5. Resulting from the court order which was granted by the Honourable Justice De Wet on 8 September 2021 ("the De Wet order") Mr Cecil John Jacob Rowe was joined as the Fourth Respondent ("Mr Rowe") in case number 15426/2021.
6. According to my understanding, the present application is directly

E. J. A.

related to the issues which are raised in the case number 15426/2021.

7. In terms of the De Wet order the respondents and all other persons who intended to oppose the relief which is claimed by the applicants had to deliver their answering affidavits by 10 January 2021. Mr Rowe, together with other MTI investors whom I represent, were permitted to file a consolidated answering affidavit in case number 15426/2021. This group of investors are called the “the Rowe members” in case number 15426/2021.
8. The Rowe members are only a few of the MTI investors who have instructed me in case number 15426/2021 as well as the present application.
9. Apart from considering opposing case number 15426/2021 and the present application, I was required to advise Mr Rowe and the other investors about submitting their respective claims as creditors in the liquidation of MTI. Investors with claims would first and foremost be persons who fell into the same category as the Rowe members in that they are owed an asset value at the time of the *concursum creditorium* on 23 June 2020 (or 29 December 2020).

A handwritten signature in black ink, appearing to read 'F. Rowe', is located in the bottom right corner of the page. The signature is written in a cursive style with a long vertical stroke extending downwards.

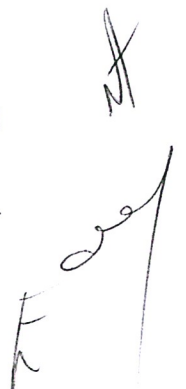
10. To date I have received 2151 confirmed mandates from MTI subscribers who are all intending to lodge claims in the liquidation of MTI. Apart from the Rowe members, those investors have an interest in the outcome of this application.
11. The Rowe members raised a very limited point of opposition in case number 15426/2021. Case number 15426/2021 is enrolled for judgment on 7 November 2022.
12. The present application intends the imposition of an order which would regulate the way in which three identified classes of investors would be dealt with when submitting claims to the liquidators of MTI.
13. On 6 September 2022 the attorneys of the applicant in the abovementioned matter emailed to me a copy of the abovementioned application and the rule nisi which was granted by the Honourable Justice Dolamo on 31 August 2022 on an *ex parte* basis ("the rule nisi").
14. Having considered the application and the order, those EDJ investors who are so-called "Class 2 Investors", have a limited reason to oppose the relief which is claimed in prayers 2.4.2.7 to 2.4.2.10.

F. J. M. A.

15. The Class 2 Investors who form part of the overall group of investors who have mandated me to represent them includes the Rowe members in case number 15426/2021.
16. Due to the volume of EDJ Class 2 Investors, and because they are scattered all over South Africa, it is impossible to acquire each of their confirmatory affidavits. In the circumstances it was decided to adopt a practical approach by identifying five of the EDJ Class Members who all confirmed their position as a-typical Class 2 Investors.
17. The particulars of the five identified Class 2 Investors appear from the following content hereof and are confirmed in their confirmatory affidavits, which are attached hereto as annexure “EDJ1” to “EDJ5”.
18. These are all investors who have made investments in the MTI scheme and later received “Returns”, but who are all still owed an outstanding balance on the value of their invested Bitcoin.

IDENTIFYING THE FIVE EXAMPLE EDJ CLASS 2 MEMBERS:

19. On _____ (date) _____ (names and surname) invested _____ Bitcoin in the Scheme. Over the period _____ to _____

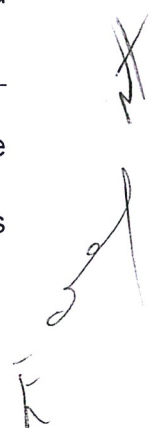
A handwritten signature in black ink, appearing to be 'F. Rowe', is written vertically on the right side of the page, overlapping the end of the text in item 19.

_____ received Returns to the value of _____ Bitcoin. If the value of the investment is reduced with the Returns then _____ is entitled to submit a claim in the liquidation of MTI equal to the Rand value of _____ Bitcoin.

20. On _____ (date) _____ (names and surname) invested _____ Bitcoin in the Scheme. Over the period _____ to _____ _____ received Returns to the value of _____ Bitcoin. If the value of the investment is reduced with the Returns then _____ is entitled to submit a claim in the liquidation of MTI equal to the Rand value of _____ Bitcoin.

21. On _____ (date) _____ (names and surname) invested _____ Bitcoin in the Scheme. Over the period _____ to _____ _____ received Returns to the value of _____ Bitcoin. If the value of the investment is reduced with the Returns then _____ is entitled to submit a claim in the liquidation of MTI equal to the Rand value of _____ Bitcoin.

22. On _____ (date) _____ (names and surname) invested _____ Bitcoin in the Scheme. Over the period _____ to _____ _____ received Returns to the value of _____ Bitcoin. If the value of the investment is reduced with the Returns then _____ is

Handwritten signature or initials in the bottom right corner of the page.

entitled to submit a claim in the liquidation of MTI equal to the Rand value of _____ Bitcoin.

23. On _____ (date) _____ (names and surname) invested _____ Bitcoin in the Scheme. Over the period _____ to _____ _____ received Returns to the value of _____ Bitcoin. If the value of the investment is reduced with the Returns then _____ is entitled to submit a claim in the liquidation of MTI equal to the Rand value of _____ Bitcoin.

THE LIMITED OPPOSITION OF THE CLASS 2 INVESTORS:

24. The EDJ Class 2 Investors herewith give notice for the below stated reasons why they oppose the relief which is claimed in prayers 2.4.2.7 to 2.4.2.10 of the rule nisi.
25. According to prayer 2.4.2.1 of the rule nisi Class 2 Investors will have to “*account towards the estate for any Return(s) on their so-called investments in the Scheme*”.
26. In terms of prayer 2.4.2.2 “*the Liquidators must ensure that the Returns are taken into account and subtracted from the investments made by the Class 2 Investors in the Scheme, so that those*

K. G. M.

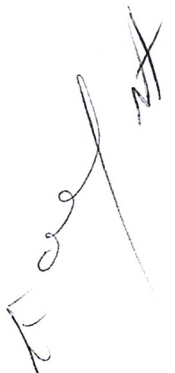
Returns may ultimately be applied in reduction of their claims against MTT".

27. According to prayer 2.4.2.3 "*Class 2 Investors should be permitted to submit a claim against the estate in an amount equal to their impoverishment or the Company's enrichment, whichever is the lesser, which is in turn to be quantified by subtracting the properly quantified Return(s) from the properly quantified Investment(s) of the relevant investor(s), the result of which will represent either one or both of the Investors' impoverishment or the Company's enrichment;*".

28. The EDJ Class 2 Investors have no difficulty with what is proposed in prayers 2.4.2.1 to 2.4.2.3, provided that the relief as claimed in prayers 2.4.2.7 to 2.4.2.10 is refused.

29. In prayers 2.4.2.7 to 2.4.2.10 the rule nisi provides as follow:

"2.7.2.7 the Liquidators will be vested with claims against the Class 2 Investors for repayment of the Returns, in terms of section 29 and 30 of the Insolvency Act, despite the fact that the Class 2 Investor's claim may have been reduced to account for the same Return when

A handwritten signature in black ink, appearing to be 'M. J. ...', is located in the bottom right corner of the page.

that Investor proved a claim in the estate, when and where the circumstances so permit;

2.4.2.8 liquidators may pursue the Class 2 Investors in respect of the Returns, in terms of either section 29 or 30 of the Insolvency Act, when and where the circumstances so permit;

2.4.2.9 when a Return paid to a Class 2 Creditor is set aside by a Court in terms of section 29 or 30 of the Insolvency Act, that Return [in whatever form contemplated by section 32(3) of the Insolvency Act, will be repaid/returned to the estate, to form part of the assets available for ultimate distribution to the creditors in the form of a dividend;

2.4.2.10 in such event the Class 2 Investor concerned should be afforded an opportunity of proving an additional claim against the estate, in relation to the Return in question;...”

30. The claims of Class 1 and Class 2 Investors, as contemplated in the rule nisi, are premised on the above Honourable Court finding in case number 15426/2021 that the MTI Scheme is an unlawful pyramid scheme and that all transaction under that Scheme are unlawful. Therefore, it is said that the Class 1 and 2 Investors have

Page 21

enrichment claims for the investments they have made and lost in the Scheme.

31. The impoverishment of a Class 1 Investor is equal to the enrichment of Company, both being equal to the amount invested and not withdrawn by the Class 1 Investor.

32. Although the applicants accept that an assessment of the enrichment or impoverishment in the case Class 2 Investors should be made by deducting from the invested amount any Returns received by the Class 2 Investors, the liquidators insist that any Returns should be returnable to the estate in terms of section 29 or 30 of the Insolvency Act. If this is permitted, then the Class 2 Investors will become liable to a reduction of their claims for any Return of their investment and they will have to repay to the estate the same amount with which the Class 2 Investor's claim is reduced.

33. This duplicated burden is explained as follows:

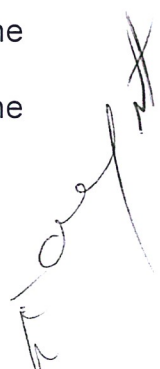
33.1. The claims of the Class 2 Investors must be reduced with the value of any received Returns. In other words, the

For

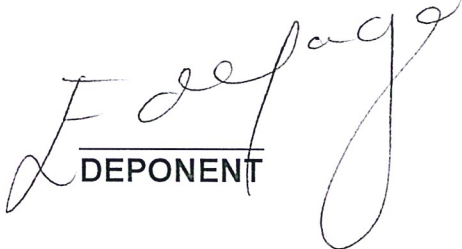
35. The section 29 and 30 claims as proposed by the liquidators for the repayment of the Returns, in addition to the reduction of the claims of the Class 2 Investors is untenable in law and in fact. Once it is recognised that the Company received the value benefit of a reduction of a claim of a Class 2 Investor to the value of the Returns, the estate cannot be doubly compensated by claiming (and receiving) the repayment of the value of the same Returns.

36. Put differently, such a reduction of the claim of the Class 2 Investor extinguishes the right of the liquidators to claim the return of the same amount which was deducted from the claim of the Class 2 Investor.

37. The proviso which is proposed in prayer 2.4.2.10, namely to allow the Class 2 Investor to submit a secondary claim, for the amount which has to be repaid as a Return payment makes no logical sense and will result in an absurdity. The absurdity results from the fact that once the Returns are to be repaid in terms of section 29 or 30 of the Insolvency Act, the only conceivable way in which the Class 2 Investor may "claim", is to insist that the amount with which the initial claim for the payment of the initial investment, less the reduced amount, must be adjusted upwards with the value of the Returns.



38. In the circumstances the EDJ Class 2 Investors move for an order that prayers 2.4.2.7 to 2.4.2.10 are dismissed on 31 October 2022.
39. In the event that the applicants resist the dismissal of prayers 2.4.2.7 to 2.4.2.10, then the EDJ Class 2 Investors will move that the applicants pay the costs which are incidental to the limited opposition to the present application.


DEPONENT

Sworn to and signed in my presence at BLOEMFONTEIN on this 28TH day of OCTOBER 2022 by the deponent who declared that he:

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience;

and uttered the words: *"I swear that the contents of this affidavit are true, so help me God."*


COMMISSIONER OF OATHS

Natalie Huyser
Commissioner of Oaths
Chartered Accountant (SA)
71 Mc Hardy Drive
Brandwag
Bloemfontein
051 - 4104260
email: natalie@djenkie.co.za

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

CONFIRMATORY AFFIDAVIT

I, the undersigned

PAULUS STEFANUS SWANEPOEL

Do hereby make oath and say that:

1. I am an adult male with identity number : 7209195139084 and residing at 33 Pienaar Street, Despatch , 6220




2. I am duly authorized to depose this affidavit, the facts herein contained being within my own personal knowledge, unless stated to the contrary, and both true and correct.
3. I confirm that the parties to the proceedings are as cited in previous pleadings filed before this Honourable Court under the abovementioned case number.
4. I confirm that I am a Class 2 Investor and on 2020-06-25 (date) invested 4.47424684 Bitcoin in the Scheme. Over the period 2020-07-09 to 2020-11-20 received Returns to the value of 1.21697276 Bitcoin. If the value of the investment is reduced with the Returns, then I am entitled to submit a claim in the liquidation of MTI equal to the Rand value of 3.257274 Bitcoin.
5. I confirm that I have read the Opposing Affidavit sworn out by my Attorney of Record, Elna de Jager and it is true and correct in as far as it relates to me.


DEPONENT

Sworn to and signed in my presence at Despatch on this 28 day of October 2022 by the deponent who declared that he:

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience;

and uttered the words: "I swear that the contents of this affidavit are true, so help me God."


COMMISSIONER OF OATHS

SOUTH AFRICAN POLICE SERVICE
2022 -10- 28
STATION COMMANDER
STATION DESPATCH

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

CONFIRMATORY AFFIDAVIT

I, the undersigned

CHARLES GRAHAM KING

Do hereby make oath and say that:

1. I am an adult male with identity number 6010115075080 and residing at 10 Ficksburg Street, Wierda Park, Centurion, Pretoria



2. I am duly authorized to depose this affidavit, the facts herein contained being within my own personal knowledge, unless stated to the contrary, and both true and correct.
3. I confirm that the parties to the proceedings are as cited in previous pleadings filed before this Honourable Court under the abovementioned case number.
4. I confirm that I am a Class 2 Investor and on 21 August 2020 invested 0.01566412 Bitcoin and on 27 December 2020 invested 0.52321913 Bitcoin in the Scheme, giving a Total of 0.53888325 Bitcoin Invested in the Scheme
5. Over the period 21 August 2020 to 30 November 2020 received Returns to the value of 0.01070000 Bitcoin. If the value of the investment is reduced with the Returns, then I am entitled to submit a claim in the liquidation of MTI equal to the Rand value of 0.52818325 Bitcoin.
6. I confirm that I have read the Opposing Affidavit sworn out by my Attorney of Record, Elna de Jager and it is true and correct in as far as it relates to me.



DEPONENT

Sworn to and signed in my presence at BLOEMFONTEIN on this 28TH day of OCTOBER 2022 by the deponent who declared that he:

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience;

and uttered the words: *"I swear that the contents of this affidavit are true, so help me God."*



YOLANDÉ ERASMUS
YDE ATTORNEYS
ATTORNEY
IBED-HOUSE
NO 71 MC HARDY AVENUE
BRANDWAG
BLOEMFONTEIN
9301
Tel: 051 250 4080
Fax: 051 444 0069
E-Mail: legal@ydeattorneys.co.za

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

<u>THE MASTER OF THE HIGH COURT, CAPE TOWN</u>	Respondent
--	------------

CONFIRMATORY AFFIDAVIT

I, the undersigned

RUDOLPH JACOBUS BOSSERT

Do hereby make oath and say that:

1. I am an adult male with identity number 7101155107088 and residing at 49 BALDWIN STREET, SCHOEMANSVILLE, NORTH WEST, SOUTH AFRICA.
2. I am duly authorized to depose this affidavit, the facts herein contained being within my own personal knowledge, unless stated to the contrary, and both true and correct.


CA

3. I have read the affidavit of Ms Elna de Jager in the abovementioned matter and I confirm the contents of same insofar as it pertains to me.

4. I confirm in particular:

4.1. That I have an interest in the outcome of the abovementioned application because the order which the applicants seek will apply to me as a Class 2 Investor;

4.2. The limited basis upon which the relief is opposed and as more fully explained by my attorney, Ms Elna de Jager;

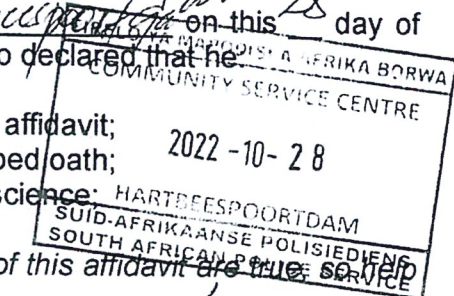
4.3. I am a Class 2 Investor and on 2020/05/18 invested 0.04827869 Bitcoin in the Scheme. Over the period 2020/06/02 to 2020/09/25 received Returns to the value of 0.01099000 Bitcoin. If the value of the investment is reduced with the returns, then I am entitled to submit a claim in the liquidation of MTI equal to the Rand value of 0.03728869 Bitcoin.


DEPONENT

Sworn to and signed in my presence at Hartbeespoortdam on this 28 day of October 2022 by the deponent who declared that he

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience.

and uttered the words: "I swear that the contents of this affidavit are true, so help me God."




COMMISSIONER OF OATHS

CA - no force

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

CONFIRMATORY AFFIDAVIT

I, the undersigned

SIMONE MICHAELA BOSSERT

Do hereby make oath and say that:

1. I am an adult female with identity number 8009100049082 and residing at 49 BALDWIN STREET, SCHOEMANSVILLE, NORTH WEST, SOUTH AFRICA.
2. I am duly authorized to depose this affidavit, the facts herein contained being within my own personal knowledge, unless stated to the contrary, and both true and correct.


CA

3. I have read the affidavit of Ms Elna de Jager in the abovementioned matter and I confirm the contents of same insofar as it pertains to me.

4. I confirm in particular:

4.1. That I have an interest in the outcome of the abovementioned application because the order which the applicants seek will apply to me as a Class 2 Investor;

4.2. The limited basis upon which the relief is opposed and as more fully explained by my attorney, Ms Elna de Jager;

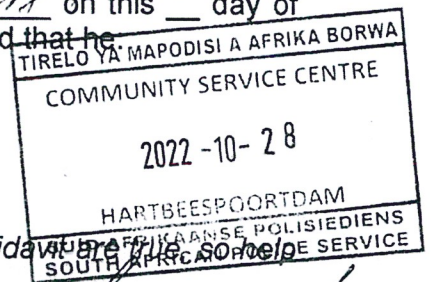
4.3. I am a Class 2 Investor and on 2020/05/23 invested 0.56234108 Bitcoin in the Scheme. Over the period 2020/07/29 to 2020/07/29 received Returns to the value of 0.55000000 Bitcoin. If the value of the investment is reduced with the returns, then I am entitled to submit a claim in the liquidation of MTI equal to the Rand value of 0.01234108 Bitcoin.

Baunt
DEPONENT

Sworn to and signed in my presence at Hartbeespoort on this 28 day of October 2022 by the deponent who declared that he

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience;

and uttered the words: "I swear that the contents of this affidavit are true to the best of my knowledge and belief."
me God."



[Signature]
COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 15426/2021

In the matter between:

<u>HERMAN BESTER N.O.</u>	First Applicant
<u>ADRIAAN WILLEM VAN ROOYEN N.O.</u>	Second Applicant
<u>CHRISTOPHER JAMES ROOS N.O.</u>	Third Applicant
<u>JACOLIEN FRIEDA BARNARD N.O.</u>	Fourth Applicant
<u>DEIDRE BASSON N.O.</u>	Fifth Applicant
<u>CHAVONNES BADENHORST ST CLAIR COOPER</u>	Sixth Applicant

[In their capacities as the duly appointed joint liquidators
Of Mirror Trading International (Pty) Ltd in liquidation)

And

<u>THE MASTER OF THE HIGH COURT,</u> <u>CAPE TOWN</u>	Respondent
--	------------

CONFIRMATORY AFFIDAVIT

I, the undersigned

RUDOLPH JACOBUS BOSSERT

Do hereby make oath and say that:

1. I am an adult male with identity number 7101155107088 and residing at 49 BALDWIN STREET, SCHOEMANSVILLE, NORTH WEST, SOUTH AFRICA.
2. I am duly authorized to depose this affidavit, the facts herein contained being within my own personal knowledge, unless stated to the contrary, and both true and correct.


CA.

3. I confirm that I am deposing to this affidavit on behalf of my minor daughter, namely Miencke Christa Bossert with identity number 0601140431086.
4. I have read the affidavit of Ms Elna de Jager in the abovementioned matter and I confirm the contents of same insofar as it pertains to my daughter.
5. I confirm in particular:
 - 5.1. That Miencke has an interest in the outcome of the abovementioned application because the order which the applicants seek will apply to her as a Class 2 Investor;
 - 5.2. The limited basis upon which the relief is opposed and as more fully explained by my attorney, Ms Elna de Jager;
 - 5.3. Miencke is a Class 2 Investor and on 2020/06/03 invested 0.99287006 Bitcoin in the Scheme. Over the period 2020/10/19 to 2020/10/19 received Returns to the value of 0.94170971 Bitcoin. If the value of the investment is reduced with the returns, then I am entitled to submit a claim in the liquidation of MTI equal to the Rand value of 0.05116035 Bitcoin.

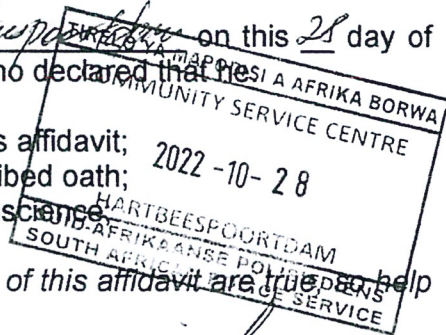



DEPONENT

Sworn to and signed in my presence at Hartbeespoortdam on this 28 day of October 2022 by the deponent who declared that he

- (a) knows and understands the contents of this affidavit;
- (b) has no objection to the taking of the prescribed oath;
- (c) considers the oath to be binding on his conscience.

and uttered the words: "I swear that the contents of this affidavit are true and help me God."





COMMISSIONER OF OATHS.
 C.A. MacFarlane