



ROUX

PROKUREURS / AKTEVERVAARDIGERS / NOTARISSE
ATTORNEYS / CONVEYANCERS / NOTARIES

24 May 2022

**MINUTES OF A VIRTUAL CREDITORS MEETING IN TERMS OF SECTION 147 OF THE
COMPANIES ACT 71 OF 2008, HELD ON 19 MAY 2022 WITH CREDITORS**

SOUTH CAPE DISTRIBUTORS (PTY) LTD (UNDER SUPERVISION)

REG NO: 2019//131744/07

1. **OPENING:**

Mr. Stephanus Abraham Roux , the Business Rescue Practitioner, introduced himself and welcomed Ulrich Gerber (director SCD), Marius Esterhuizen (director SCD), Natasha Botha (general manager SCD) and Nicolene Jansen (Roux Attorneys) who were present at our offices of Roux Attorneys and declared the meeting open.

2. **ATTENDANCE:**

The meeting was virtually attended by:

Cisca Basson - PB Liquor Merchants

Mucha Nhawu - SARS

Prashil Ranchod - Ebotse Trading 46 CC

Henri le Roux - Darling Brewery

Lorette Streicher - La Vierge Wines Pty Ltd

Marli Borman - Boschkloof Wines

Kamogelo May - Representing Standard Bank

Godfrey Mokoena - Representing Standard Bank

Bea Haumann & Helga Truter - Bottega Family Wine

Willem van der Merwe - Mack & Schuhle

Jurilee Du Toit - Vinimark The Wine Company

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FAIRVIEW BESIGHEIDSPARK 6
H/v Knysnaweg & 1Ste Straat
George-Oos
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Docex 44 George

SA ROUX BLC LLB

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SEB Bydraer

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Trevor Myburgh - Brand 2 Consumer (B2C)
John - Signal Hill Products
Chris Brand also with Reino Kruger - Stellenview Premium Wine
Clinton Yon - ISM
Elda Pretorius - Allesverloren Wine Estate
Trish Govender - DGB Pty Ltd
Craig Gee - Southbay Tyres
Hendrik – Distell
Deirdre – (unknown)
Christo Barnard – Southern Cape Beer Distributor
Tony Chetty – Halewood
Wendy Twana – Vinitalia
Johannes – Koelenhof
Mishayla Kercival – Swart.law – Stellenview Premium Wine
Mashudu Raphela, Shana Maibchund, Anthea Pilla and Lindokuhle Mbatha - Imperial
Logistics
Greg Knott – Live a Little
Stephen Roux (Unknown)
Jacques - Karusa Wines
Anton Basson – Comcen
Izan van Zyl – B2C Premium
Brandon Pietersen – Twizza

3. **MATTERS:**

3.1. **The Practitioner’s view regarding the reasonable prospect of rescuing the entity:**

The Business Rescue Practitioner indicated that the investigations into the affairs of South Cape Distributors (Pty) Ltd (Under Supervision) (hereinafter referred to as SCD) are not completed but confirmed that the Company is in fact in financial distress. The

business rescue practitioner confirmed that there is a reasonable believe in the prospect of rescuing the Company.

3.2. **Receiving Proof of Claims by Creditors:**

25 Claims to the value of have been received to date. A list of claims received is attached marked as **Annexure "A"**. Creditors who have not yet proved their claims can do so by completing the claim form- which claim form is available on our website <https://www.rouxprok.co.za/cp/38381/business-rescues--documentation>

3.3. **Determine whether or not a committee of creditors and/or employees should be elected:**

The Business Rescue Practitioner explained that creditors may elect a committee as referred to in Section 147(1)(b) of the Companies Act. Mr. Hendrik van Nieuwenhuizen of Van Nieuwenhuizen, Kotze & Adam acted on behalf of Distell Limited, indicated that it would be necessary to have a creditor committee. This decision would be based on the amount of creditors and outstanding balances, which could not be confirmed at the time of the meeting, due to some administrative problems SCD experienced when they moved from one software program to another. The Business Rescue Practitioner will subsequently liaise with all affected persons by no later than 24 May 2022 confirming the exact details of all affected creditors and affected parties will be able to vote by proxy on the necessity to form a committee as contemplated in the act.

4. **DATE OF NEXT MEETING:**

Publication of Plan: 9 June 2022

Date of next meeting: 23 June 2022

5. **ADMINISTRATIVE PROPOSALS BY THE BUSINESS RESCUE PRACTITIONER:**

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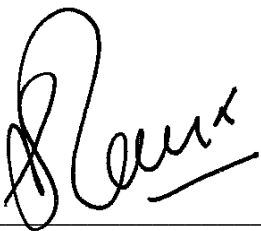
5.1. Due to the fact that the Business Rescue Practitioner cannot foresee all scenarios during the Business Rescue process and the fact that certain actions during the process may influence the Business Rescue Practitioner's ability to adhere to the timeframes as set out in the prescribed Act, the following was proposed and accepted without objection:

5.1.1. That all future voting may take place via a proxy system as prescribed in the Companies Act;

5.1.2. That any extension to publish the Business Rescue Plan in terms of Section 150 of the Act and specifically voting to extend the publication of the Business Rescue Plan as referred to in Section 150 (5) (a) & (b), could be dealt with by means of voting by email system. Voting will take place as referred to in Section 147(3) of the Act.

6. **CONCLUSION:**

The meeting was closed.



ROUX ATTORNEYS
per: S.A. ROUX