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01/04/2016


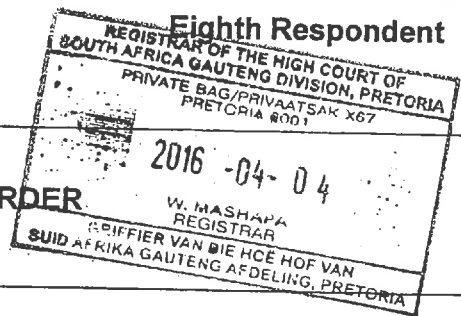
IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

Case No: 19300/2016


In the Ex Parte Application of:

- HIGHER EDUCATION TRANSFORMATION NETWORK Applicant
NPO REGISTRATION 116-851
- and
- LUCKY LEMPIDITSE THEKISHO First Respondent
- HENDRICK YINGWANE MAKANETA Second Respondent
- EMMANUEL LEKGAU Third Respondent
- TEBOGO MOGOSOANA Fourth Respondent
- HENDRICK SEKEPE THOBEJANE Fifth Respondent
- HIGHER EDUCATION TRANSFORMATION NETWORK Sixth Respondent
NPC REGISTRATION 2016/046790/08
- THE COMMISSIONER: COMPANIES & INTELLECTUAL Seventh Respondent
PROPERTY COMMISSION
- MINISTER OF TRADE & INDUSTRY Eighth Respondent

DRAFT COURT ORDER

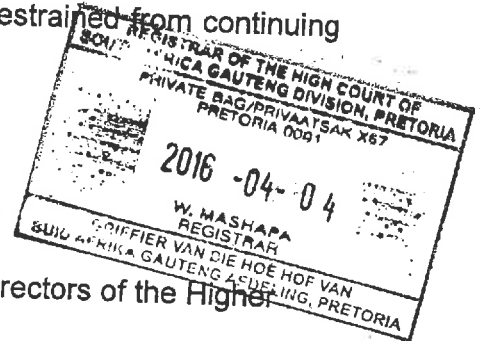



ON THE 1ST DAY OF APRIL 2016 BEFORE THE HONOURABLE MS. JUSTICE MOSEAME (A.J.)

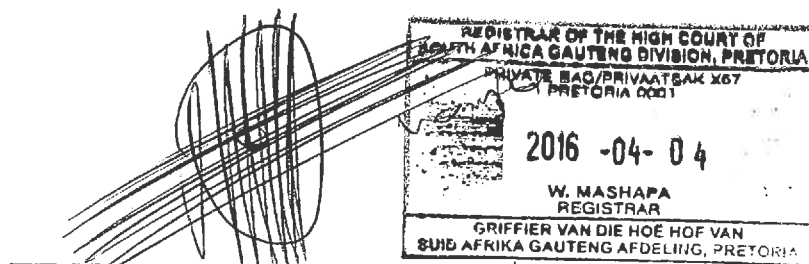


Having perused the papers filed of record and having heard Counsel for the Applicants, it is hereby ordered as follows:-

1. That a Rule Nisi order is hereby issued calling upon the Respondents to show cause why the following orders should not be made final:-
2. That the return date for the Rule Nisi is the 13th May 2016;
3. The decisions and / or any consequential resolutions and commitments arising from the "Extraordinary General Meeting" which was held on 27th February 2016 under the banner of the Applicant are hereby set aside.
4. The First to Sixth Respondents are interdicted and restrained from continuing to incite:-
 - 4.1 The public,
 - 4.2 Existing and potential members of the Applicant and
 - 4.3 Publicly misrepresenting themselves as the lawful Directors of the Higher Education Transformation Network (NPO 116-851)
5. The First, Second, Fifth and Sixth Respondents are interdicted from the continued usage of the unauthorized HETN Facebook page located online at <https://www.facebook.com/HETN-on-the-News-1665771617034719/>.
6. The First, Second, Fifth and Sixth Respondents are interdicted from the continued unauthorized public and private usage and issuing of media statements using the name and logo / trademark of the Applicant.



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7. The First, Second, Fifth and Sixth Respondents are interdicted from holding any further meetings and/ or collection of funds / resources in the name of the Applicant.
 8. The First, Second and Fifth Respondents and all other Respondents are interdicted from utilising the newly registered non-profit company (NPC) named Higher Education Transformation Network with a registration no 2016/046790/08 and interdicted from pretending to act on behalf of the Applicant.
 9. The Seventh and Eighth Respondents are hereby called upon to show cause why they should not deregister the nonprofit company registered as Higher Education Transformation Network (HETN) under registration no 2016/046790/08 registered on the 3rd February 2016.
 10. The Seventh and Eighth Respondents are hereby called upon to show cause why they should not stop the trademark application no 2016/02178 lodged on the 27th January 2016.



**BY ORDER OF THE COURT
REGISTRAR**