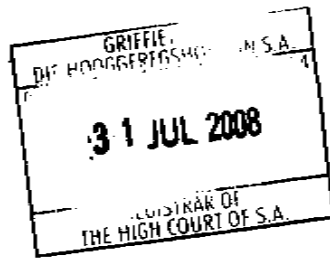


IN THE HIGH COURT OF SOUTH AFRICA
(DURBAN AND COAST LOCAL DIVISION)



9670/2008
Case No: 2008/

In the matter of an urgent application to
interdict the holding of a general meeting

Between:

LA LUCIA SANDS SHARE BLOCK LIMITED

Applicant

And

FLEXI HOLIDAY CLUB
(Requisitionist 10)

First Respondent

TRAFALGAR HOLIDAY RESORTS (PTY) LTD
(Requisitionist 49)

Second Respondent

STUART JOHN LAMONT
(Trustee of clubs)

Third Respondent

ANTHONY NICHOLAS RIDL
(Trustee of clubs)

Fourth Respondent

PANOS GEORGE PIERIDES
(Requisitionist 35/37)

Fifth Respondent

JAMES ALFRED CROSWELL
(Requisitionist 5)

Sixth Respondent

MAGIC BREAKAWAYS VACATION CLUB
(Requisitionist 25)

Seventh Respondent

MULTI RESORTS OWNERSHIP PROPERTY TRUST
(Requisitionist 33)

Eighth Respondent

PREMIER VACATION CLUB
(Requisitionist 42)

Ninth Respondent

ARROWWOOD INTERNATIONAL (PTY) LTD
(Requisitionist 2)

Tenth Respondent

AND

cited for their interest in the matter:

ANDERSON P J (requisitionist 1)

11th Respondent

BOTHMA B C (requisitionist 3)	12 th Respondent
BAKOS A V (requisitionist 4)	13 th Respondent
DUFF G W (requisitionist 6)	14 th Respondent
DALY D G (requisitionist 7)	15 th Respondent
D'AMOTO G (requisitionist 8)	16 th Respondent
DREAM VACATION CLUB (requisitionist 9)	17 th Respondent
FLITTON L M (requisitionist 11)	18 th Respondent
GROENEWALD J (requisitionist 12)	19 th Respondent
GRIGOROVA B (requisitionist 13)	20 th Respondent
GARDNER I R (requisitionist 14)	21 st Respondent
GALVAD G (requisitionist 15)	22 nd Respondent
GALGOR (requisitionist 16)	23 rd Respondent
HANMAG 32 (EDMS) LTD (requisitionist 17)	24 th Respondent
HOOKER R A (requisitionist 18)	25 th Respondent
HAWTON J G (requisitionist 19)	26 th Respondent
JANSE VAN RENSBURG J J (requisitionist 20)	27 th Respondent
JORDAAN L (requisitionist 21)	28 th Respondent
KAHN L (requisitionist 22)	29 th Respondent
LEISURE HOLIDAY CLUB (requisitionist 23)	30 th Respondent
LENTZ J P G (requisitionist 24)	31 st Respondent
MARTIN F A (requisitionist 26)	32 nd Respondent
MILLS R M (requisitionist 27)	33 rd Respondent
MULLINEUX W J (requisitionist 28)	34 th Respondent
MULAN MA (requisitionist 29)	35 th Respondent
MAVRONICHOLAS A (requisitionist 30)	36 th Respondent
MAVRONICHOLAS E P (requisitionist 31)	37 th Respondent
MICHAELMORE R D & NAPIER G C (requisitionist 32)	38 th Respondent
NICHOLSON M A & J C (requisitionist 34)	39 th Respondent
PIERIDES G (requisitionist 36)	40 th Respondent
PIERIDES P & KRAUSE E K (requisitionist 37)	41 st Respondent
PHILIPS N C (requisitionist 38)	42 nd Respondent
PESTANA C (requisitionist 39)	43 rd Respondent
PEARCE M M (requisitionist 40)	44 th Respondent
PHOENICIAN GOLF CLUB (requisitionist 41)	45 th Respondent
SURTEES J A (requisitionist 43)	46 th Respondent
SCOGNAMIGLIO G (requisitionist 44)	47 th Respondent
SMIT T K (requisitionist 45)	48 th Respondent
SIMPSON L M (requisitionist 46)	49 th Respondent
SELSICK D (requisitionist 47)	50 th Respondent
TRAUB S H (requisitionist 48)	51 st Respondent
VENTER H J M A (requisitionist 50)	52 nd Respondent
VERMAAK P L (requisitionist 51)	53 rd Respondent

WHITE J (requisitionist 52)
WINGATE PEARSE M A (requisitionist 53)

54th Respondent
55th Respondent

NOTICE OF MOTION
IN AN URGENT APPLICATION FOR INTERIM RELIEF

BE PLEASED TO TAKE NOTICE THAT application will be made to the above Honourable Court on **Monday, 18 August 2008** at **09h30**, or so soon thereafter as counsel will be heard, for an Order in the following terms:

1. Dispensing with the forms, service and time limits provided for in the rules and allowing the matter to be heard as one of urgency in terms of rule 6 (12);
2. Interdicting the Respondents, pending the final determination of the trial referred to in paragraph 3 below, from holding or causing to be held a meeting of the Applicant pursuant to a notice dated 17 June 2008 issued by and on behalf of the Respondents;
3. Interdicting the Respondents from convening, requisitioning or holding any meeting, the business of which is or will be to consider the removal of the directors of the Applicant pending the final determination of the trial set down for hearing in the Durban and Coast Local Division on 26 to 28 November 2008 pursuant to the Order granted by His Lordship Mr Justice Hugo on 28 August 2006 in the matter between Flexi Holiday Club, Trafalgar Holiday Resorts, Trafalgar Holiday Resorts (Pty) Limited and Star Vacation Club v La Lucia Sands Share Block Limited under case number 19/2002 ('the trial');

4. Directing that the orders set out in paragraphs 2 and 3 operate as interim interdicts until the trial is finally decided and the matter between Batstone and Croswell v La Lucia Sands Share Block Limited under case number 1812/2007 in the Durban and Coast Local Division is finally decided, whichever is the later;
5. Directing the First to Tenth Respondents to pay the costs of this application jointly and severally and on the scale as between attorney and client, the one paying the others to be absolved;
6. Directing that, in the event of any of the other Respondents cited herein as the 11th to 55th Respondents opposing the relief sought in this application, their costs also be paid by the First to Tenth Respondents; and,
7. Granting the Applicant leave to supplement its papers concerning service on the 11th to 55th Respondents;
8. Granting the Applicant leave to supplement its papers concerning the authenticity of the 11th to 55th Respondents desire to requisition and convene a general meeting;
9. Granting the Applicant further or alternative relief.

TAKE NOTICE THAT the accompanying affidavit of **PATRICK MICHAEL COLLINS** and the annexes thereto will be used in support thereof.

TAKE NOTICE FURTHER that the Applicant has appointed GEORGE WOLFE ATTORNEY, at the address set out hereunder, at which it will accept notice and service of all process in these proceedings.

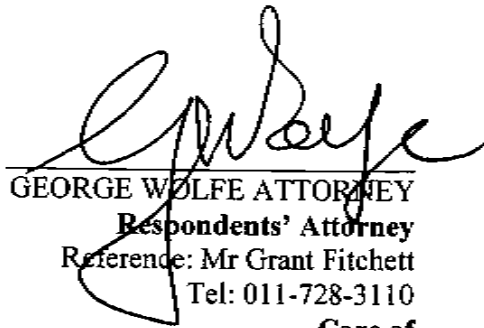
TAKE NOTICE FURTHER that if you intend opposing this application you are required -

- (a) to notify Applicant's attorney in writing on or before 13h00 on **Monday, 4 August 2008;**
- (b) and to file your answering affidavits, if any, on or before 13h00 on **Monday, 11 August 2008;**

and further that you are required to appoint in such notification an address referred to in Rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings.

BE PLEASED TO ENROLL THE APPLICATION ACCORDINGLY

Dated at DURBAN this *3rd* day of JULY 2008.


GEORGE WOLFE ATTORNEY
Respondents' Attorney
Reference: Mr Grant Fitchett
Tel: 011-728-3110
Care of
GRUNDLINGH ATTORNEYS
24 Circle Drive
WESTVILLE
Docex: 18, Westville
Tel: 031-267-1001
Fax: 031-266-7795
Reference: Mr D J Grundlingh

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

AND TO:

**FLEXI HOLIDAY CLUB
TRAFALGAR HOLIDAY RESORTS (PTY) LTD
STUART JOHN LAMONT
ANTHONY NICHOLAS RIDL
MAGIC BREAKAWAYS VACATION CLUB
MULTI RESORTS OWNERSHIP PROPERTY TRUST
PREMIER VACATION CLUB**

First Respondent
Second Respondent
Third Respondent
Fourth Respondent
Seventh Respondent
Eighth Respondent
Ninth Respondent

Care of
Club Leisure Group
1 Crompton Street,
Pinetown
Tel: 031-717-7300
Fax: 031-701-9982
SERVICE BY SHERIFF

AND TO:

PANOS GEORGE PIERIDES
Care of
Fifth Respondent's Attorney
Itzikowitz Attorneys
153 Louis Botha Avenue
Orange Grove, Johannesburg
Tel: 011-483-1753
Fax: 011-483-1446
SERVICE BY HAND [in terms of Rule 4(1)(aA)]

Fifth Respondent

AND TO:

JAMES ALFRED CROSWELL
Care of
Fifth Respondent's Attorneys
Hornby, Smyly Glavovic Inc.
15 Acacia Avenue,
Westville, Durban
Tel: 031-266-7751
Fax: 031-266-7790
SERVICE BY HAND [in terms of Rule 4(1)(aA)]

Sixth Respondent

ARROWWOOD INTERNATIONAL (PTY) LTD

Tenth Respondent

Care of the principal place of business
 The Granger, Suite 511, First Floor,
 49 Beach Road, Granger Bay, Cape Town
 Tel: 021-425-2233
 Fax: 021-425-1550
 E-mail: zulfa @ arrowwoodint.co.za

SERVICE BY E-MAIL AND FAX OF THE NOTICE OF MOTION**DREAM VACATION CLUB**17th Respondent

Care of
 310 Main Road, Bryanston, Johannesburg
 Tel: 011-267-8300
 Fax: 011-706-1044
 E-mail: info @ dreamvac.com

SERVICE BY HAND AND E-MAIL:**LEISURE HOLIDAY CLUB**30th Respondent

Care of
 3 Daly Street, Port Shepstone, KZN
 Tel: 039-688-5002
 Fax: 039-688-5211
 E-mail: rene @ theholidayclub.com

SERVICE BY E-MAIL AND FAX OF THE NOTICE OF MOTION**PHOENICIAN GOLF CLUB**45th Respondent

Care of
 Bakos Centre
 Corner Jan Smuts Avenue and Bompas Road, Johannesburg
 Tel: 011-325-2400
 Fax: 011-325-2407
 E-mail: phoenician @ phoeniciangolf.co.za

SERVICE BY E-MAIL AND FAX OF THE NOTICE OF MOTION**AND TO:**

ALL THE REQUISITIONISTS WHO APPEAR TO SUPPORT THE SECOND
 REQUISITION OF 17 JUNE 2008:

ANDERSON P J (requisitionist 1)	11 th Respondent
BOTHMA B C (requisitionist 3)	12 th Respondent
BAKOS A V (requisitionist 4)	13 th Respondent
DUFF G W (requisitionist 6)	14 th Respondent
DALY D G (requisitionist 7)	15 th Respondent
D'AMOTO G (requisitionist 8)	16 th Respondent
FLITTON L M (requisitionist 11)	18 th Respondent
GROENEWALD J (requisitionist 12)	19 th Respondent
GRIGOROVA B (requisitionist 13)	20 th Respondent
GARDNER I R (requisitionist 14)	21 st Respondent

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HAWTON J G (requisitionist 19)	26 th Respondent
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KAHN L (requisitionist 22)	29 th Respondent
LENTZ J P G (requisitionist 24)	31 st Respondent
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MULAN MA (requisitionist 29)	35 th Respondent
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NICHOLSON M A & J C (requisitionist 34)	39 th Respondent
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PIERIDES P & KRAUSE E K (requisitionist 37)	41 st Respondent
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SIMPSON L M (requisitionist 46)	49 th Respondent
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TRAUB S H (requisitionist 48)	51 st Respondent
VENTER H J M A (requisitionist 50)	52 nd Respondent
VERMAAK P L (requisitionist 51)	53 rd Respondent
WHITE J (requisitionist 52)	54 th Respondent
WINGATE PEARSE M A (requisitionist 53)	55 th Respondent

Care of
Fifth Respondent's Attorney
Itzikowitz Attorneys
153 Louis Botha Avenue
Orange Grove, Johannesburg
Tel: 011-483-1753
Fax: 011-483-1446
SERVICE BY HAND ONE COPY