

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG**

CASE NO: 2017/23871

P/H NO: 0

JOHANNESBURG, 22 March 2018

BEFORE THE HONOURABLE ACTING JUDGE NKOSI

In the ex-parte application of:-

NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS Applicant

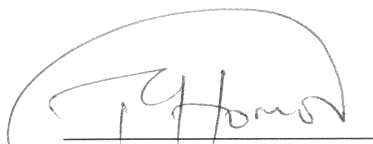
In re: All funds in various bank accounts associated with JVN Asset Management (Pty) Limited, JVN Harvest Investments (Pty) Limited and Levi Alex Nkosi

HAVING read the documents filed of record and having considered the matter:-

IT IS ORDERED THAT:-

1. Draft Order marked "X" signed and dated the 22nd of March 2018, is made an Order of Court.

BY THE COURT


REGISTRAR
/gpm

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA GAUTENG LOCAL DIVISION, JOHANNESBURG	
Private Bag X7, Johannesburg 2000	
	2018 -04- 06
GLD-JHB-044	
GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA, GAUTENG PLAASLIKE- AFDELING, JOHANNESBURG	

11/11 X (11) 22/3/2018

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG LOCAL DIVISION, JOHANNESBURG)

Case No: 17/ 23871

In the unopposed application of:

The National Director of Public Prosecutions

Applicant

In re: All funds in various bank accounts associated with JVN Asset Management (Pty) Ltd, JVN Harvest Investments (Pty) Ltd and Levi Alex Nkosi

DRAFT ORDER

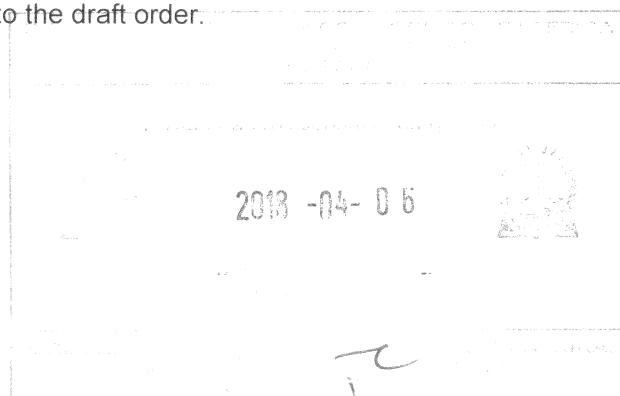
JOHANNESBURG, 22 MARCH 2018

BEFORE THE HONOURABLE JUDGE ~~MAKHANYA~~ NKOSI A.J.

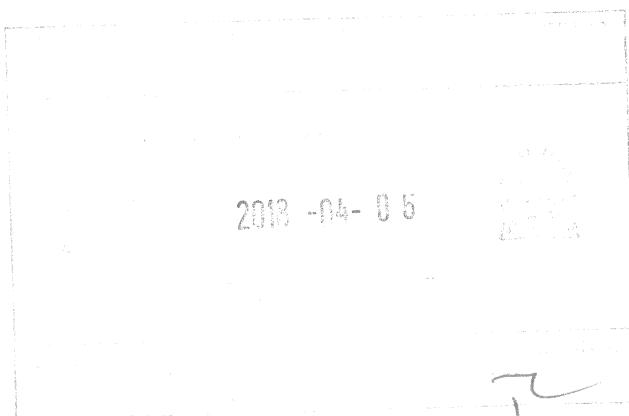
HAVING read the documents filed of record and having considered the matter:-

THE COURT GRANTS THE FOLLOWING ORDER:-

- 1 An order is granted in terms of the provisions of section 53 of the Prevention of Organised Crime Act 121 of 1998 (**the POCA**), declaring forfeit to the State property identified as all funds in various bank accounts associated with JVN Asset Management (Pty) Ltd, JVN Harvest Investments (Pty) Ltd and Levi Alex Nkosi (**the property**) as listed in Annexure A to the draft order.

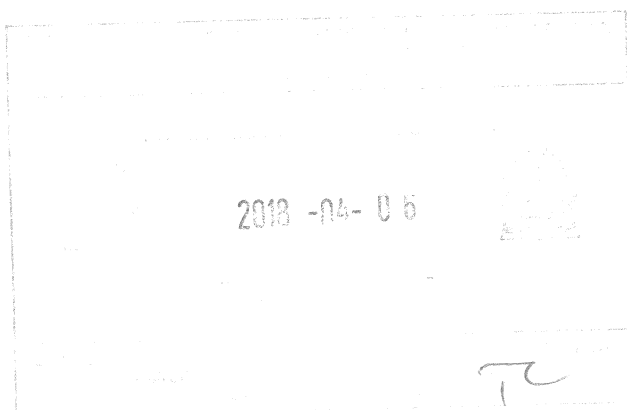


- 2 Non-compliance with section 54(2) of the POCA is condoned.
- 3 Richard Masoanganye of Bombani Liquidators and Trustees of Insolvent Estates is appointed as *curator bonis*.
- 4 Nedbank is directed to pay the funds identified in the following Nedbank account numbers into a trust account nominated and held by the *curator bonis*:
 - 4.1 1101571462 in the name of JVN Asset Management (Pty) Ltd;
 - 4.2 1101695374 in the name of JVN Asset Management (Pty) Ltd;
 - 4.3 1140444085 in the name of JVN Harvest Investments (Pty) Ltd.
- 5 FNB is directed to pay the funds identified in the following FNB account numbers into a trust account nominated and held by the *curator bonis*:
 - 5.1 62566435270 in the name of JVN Asset Management (Pty) Ltd;
 - 5.2 62567008563 in the name of JVN Asset Management (Pty) Ltd;
 - 5.3 62441337830 in the name of JVN Harvest Investments (Pty) Ltd;
 - 5.4 62505094136 in the name of JVN Harvest Investments (Pty) Ltd;and
 - 5.5 62423217018 in the name of Levi Alex Nkosi.
- 6 The *curator bonis* is directed to:
 - 6.1 deposit the property into an interest bearing account;



- 6.2 with the assistance of the Financial Services Board and Mr Levi Alex Nkosi identify investors, verify and reconcile the claims made by them and undertake payments to them from the property on a pro rata basis limited to the capital amount invested by them with JVN Asset Management (Pty) Ltd, JVN Harvest Investments (Pty) Ltd and/ or Levi Alex Nkosi. In reconciling an amount payable to an investor due consideration must be had to any amount/s received by investors as returns on their investments in pursuance of their investments with JVN Asset Management (Pty) Ltd, JVN Harvest Investments (Pty) Ltd and/ or Nkosi;
- 6.3 reserve and deduct his fees and expenditure as approved by the Master of the High Court from the forfeited funds prior to distribution to the investors. The *curator bonis* must first provide his account to the Financial Services Board for confirmation of their contribution to his fees and expenditure. The outstanding balance remaining after the Financial Services Board's contribution is to be paid from the forfeited funds;
- 6.4 pay the surplus funds, if any, remaining after payment to investors, into the Criminal Assets Recovery Account established under section 63 of the POCA, number 80303056 held at the South African Reserve Bank, Vermeulen Street, Pretoria with reference "Nkosi (Various Accounts)."

- 7 The *curator bonis* shall as soon as possible after the payment of all claims are effected but not later than within a period of 90 days thereof, file a



report and account with the applicant and the Master of the High Court, indicating the manner in which he:

7.1 completed the administration of the property mentioned above;
and

7.2 complied with the terms of this order.

8 The Financial Services Board is directed to pay its contribution of the curator's fees and expenditure within 30 days of approval of the *curator bonis'* account by the Master of the High Court.

9 Any person whose interest in the property concerned is affected by the forfeiture order, may within 20 days after he or she has acquired knowledge of such order, set the matter down for variation or rescission by the court.

BY THE COURT

REGISTRAR

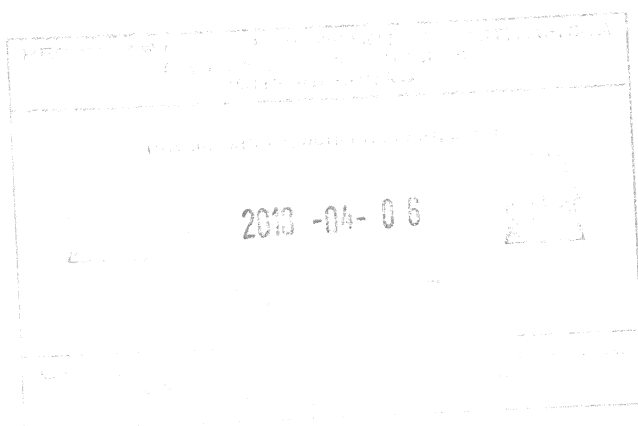
FOR THE APPLICANT:

ADV TS SETHE/

ADV S AMOD

011 220 4050

011 220 4052



IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG LOCAL DIVISION, JOHANNESBURG)

Case No: 17/ 23871

In the unopposed application of:

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SCHEDULE OF KNOWN ASSETS

1. Bank accounts held by JVN Asset Management (Pty) Ltd:

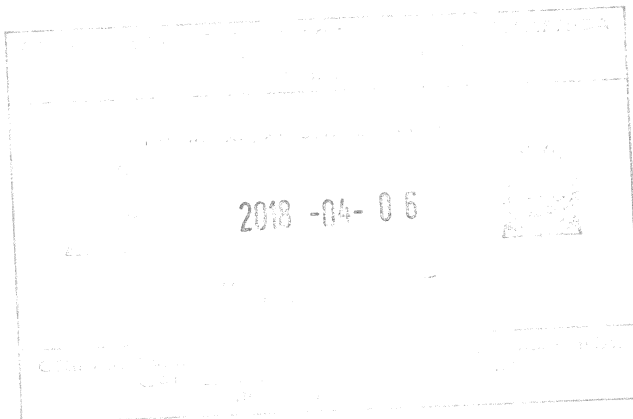
- 1.1. Nedbank Limited account number 1101571462;
- 1.2. Nedbank Limited account number 1101695374;
- 1.3. First National Bank account number 62566435270; and
- 1.4. First National Bank account number 62567008563.

2. Bank accounts held by JVN Harvest Investments (Pty) Ltd

- 2.1. First National Bank account number 62441337830;
- 2.2. First National Bank account number 62505094136;
- 2.3. Nedbank Limited account number 1140444085;

3. Bank account held by Levi Alex Nkosi

- 3.1 First National Bank account number 62423217018



T.C

MP