

Affidavit

I, Simon James Lapping, an adult male residing at 5 Somer street, Klopperpark, Germiston to hereby make the following statement.

During about 2008, I was financially struggling. At the time I had a Joint bond, credit card and an overdraft with First National Bank.

FNB employed a firm of debt collectors, I believe called BDM Attorney's to collect on the arrears of my account. BDM attorney's took it upon themselves to continually harass me from 7 am till 9 pm at night, this persisted up to 10 times a day through a variety of means from phone calls to sms's requesting I call them. I explained my predicament as my outstanding payment due was a mere R 400.00 and that they would be paid when I could. This answer was clearly not acceptable to them.

Due to extreme frustration I sent an email to the CEO of FNB, Mr Michael Jordaan, threatening to obtain his personal details and to begin harassing him if this harassment did not stop from BDM attorney's.

The same afternoon, I received a call from a Mr Jacque Cilliers, CEO of FNB credit card. He requested a meeting. I agreed to meet with him.

I went through to Bank City in Johannesburg the following morning to meet with Mr Cilliers. There was about five people present in the room, Mr Cilliers, an Indian Lady (their "legal" person) Darryl (surname I cannot recall) and another person who was there briefly.

I pointed out the following:

- that harassment from an Attorney/Debt Collector was totally unacceptable.
- that their use of NAEDO (Non Authenticated Early Debit Order) system to scan client accounts and to "grab" money without an authorised debit order was unacceptable and, in my view unconstitutional. I also feel that the bank should have taken responsibility for this.

Mr Cillier's response was "I will give you R 100 000.00 to go away". I was somewhat taken aback by this totally unexpected offer of "kindness". I pointed out that I had a joint bond with FNB and that I was going through a divorce, I requested a day or two to think about this. The condition being I close my accounts and go away.

A few days later, Darryl, (one of the people who had been present at my meeting with Mr Cilliers) called me to ask if I accept Mr Cilliers offer, I pointed out the bond issue again but agreed to the offer. FNB cancelled my credit card and my overdraft and closed my account, it was arranged for Karaglen Branch to give me R 3500.00 which I collected and signed for.

WITHOUT PREJUDICE



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It was agreed that the balance of the R100 000 would be paid when my divorce was finalized . During this whole period , there was no form of written communication in any form. All communication was done via telephone or face to face.

Fast forward to end of 2010. I finally got divorced and informed FNB of the development. I was called to a meeting in Sandton , this time Mr Cilliers and Dawn Smith (new " legal " person) met with me to explain the whole process to me , no mention of any final amount to be paid was made.

Joubert's Attorney's was appointed transferring attorneys. As per divorce agreement I would get my ex wife's half share of a property we owned. FNB homeloans began the process , which I might add they were completely out of their depth. I complained to Dawn Smith about the sheer incompetence of homeloans. Dawn Smith set up a new one point liaison for me, a gentleman by the name of Vincent Esterhuizen (a gentleman he really is) and he became my contact man at FNB homeloans. As per attached email you will see I have been banned from contacting the CEO of FNB again. (pity) and this was the provision made, it was also agreed that there would be no evidence on ITC regarding this transaction.

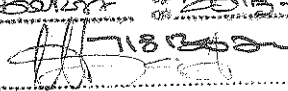

FNB also agreed to pay transfer costs. Please see email. Around September 2011 , the property was transferred into my name with a new bond of R 155 000.00 in my name (quite good for someone with no job , income etc) My outstanding balance was about R 125 000.00 A month later in the beginning of October , I paid R 2800.00 into this bond , the only payment I ever made. A few days later , a mysterious amount of R 150 000.00 was paid into my bond therefore leaving me with a credit of approximately R30 000. I made enquiries at the bank to find out where this payment came from. It was confirmed that FNB Credit Card paid this money. The R 30 000.00 was paid directly to me shortly thereafter.

The above is stated to be true events to my knowledge and binding on my conscience.



15/1/2015.

Simon Lapping

<p>Ek verklaar dat boeiende verklaring deur my afgelees is en dat die verklaarder erken dat hy/sy versond is met die inhoud van hierdie ver- klaring en die begrip. Hierdie verklaring is voor my bevestig/vestig en verklaarder se handtekening/mark/drukskrif is in my teen- woordigheid daarop aangebring.</p>	<p>I certify that the above statement was taken by me and that the deponent has acknowl- edged that he/she knows and understands the contents of this statement. This statement was sworn to/affirmed before me and deponent's signature/mark/thumbprint was placed thereon in my presence.</p>
<p>2015-01-15 15:20</p>	
	
(HANDTEKENING) KOMMISSARIS VAN EDE (SIGNATURE) COMMISSIONER OF OATHS	
<p>KEVIN ROBINSON</p>	
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<p>by mopedi road</p>	
BESIGHEIDSGADRES (STRAATADRES) BUSINESS ADDRESS (STREET ADDRESS)	
	
RANG/RANK	