



DISCOVERY
africa

ASX Announcement

24 December 2015

Update on Legal Proceedings and Judgment in Favour of Discovery Africa for \$436,671.78

Further to the announcement made on 24 April 2014, Discovery Africa Ltd (ASX: DAF) ("**Discovery Africa**" or "**the Company**") is pleased to advise that on 23 December 2015 the Federal Court of Australia delivered judgment in relation to the Company's application for summary judgment against former directors, Mr Kevin Nichol (**Mr Nichol**) and Mr Danie Van den Bergh (**Mr Van den Bergh**) in relation to payments made to them on the eve of tendering their resignations as directors of Discovery Africa.

The Federal Court of Australia made the following orders:

1. Mr Nichol holds the amount of \$274,005.78 on trust for Discovery Africa.
2. Mr Nichol is indebted to Discovery Africa in the amount of \$274,005.78.
3. Mr Van den Bergh holds the amount of \$162,666 on trust for Discovery Africa.
4. Mr Van den Bergh is indebted to Discovery Africa in the amount of \$162,666.
5. Judgment be entered against Mr Nichol in favour of Discovery Africa in the amount of \$274,005.78.
6. Judgment be entered against Mr Van den Bergh in favour of Discovery Africa in the amount of \$162,666.
7. Mr Nichol and Mr Van den Bergh pay Discovery Africa's costs.
8. The parties be at liberty to apply to the Court on the question of interest.

The Company intends to immediately commence enforcement of the above judgments against Mr Nichol and Mr Van den Bergh and, in a substantial part, will be recovering the above amounts from the assets frozen by the Federal Court of Australia on 16 April 2014.

The Company will continue to pursue its further claims against Mr Nichol, Mr Van den Bergh, Mr Thick, Mr Avery and its former solicitors, CBP Pty Ltd trading as Collin Biggers & Paisley.

ENDS

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