

COURT ONLINE COVER PAGE

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: **2026-045648**

In the matter between:

**Sam Dale Trading Proprietary Limited
t/a Consumer Friend**

Plaintiff / Applicant / Appellant

and

**MBD Legal Collections Proprietary
Limited**

Defendant / Respondent

COURT ORDER AS GRANTED BY NDITA J ON 19 MARCH 2026

NOTE: This document was filed electronically by the Registrar on 25/3/2026 at 9:53:43 AM South African Standard Time (SAST). The time and date the document was filed by the party is presented on the header of each page of this document.



ELECTRONICALLY SIGNED
BY:

**Registrar of The High Court,
Western Cape Division, Cape
Town**

IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

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19-3-26

Before the Honourable Ms Justice Ndita

Held at Cape Town on 19 March 2026

CASE NO:2026-045648

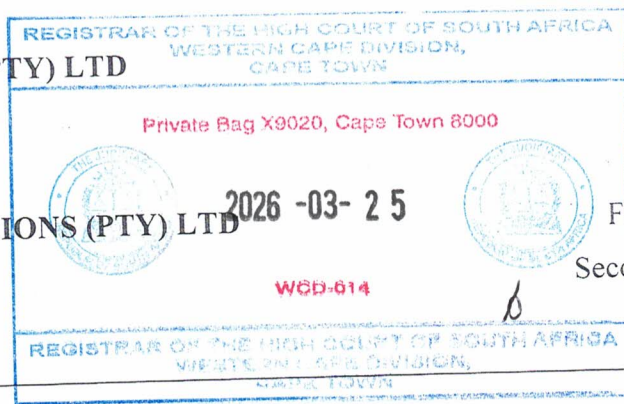
In the matter between:

SAM DALE TRADING (PTY) LTD

t/a **CONSUMER FRIEND**

and

MBD LEGAL COLLECTIONS (PTY) LTD



First Respondent

Second Respondent

ORDER

Having heard Counsel for the parties and having read the documents filed of record **IT IS**

ORDERED THAT:

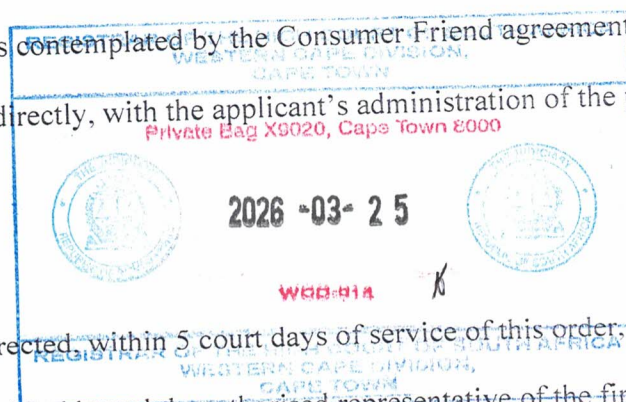
1. The Applicant's failure to abide by the rules pertaining to time periods, filing service and compliance with the rules of this Court is condoned and this application is dealt with as one of urgency in accordance with Uniform Rule 6 (12).
2. It is declared that, in relation to the portfolio acquired by the first respondent from the second respondent ('the portfolio'), the first respondent is bound by the service agreement concluded between the applicant and the second respondent on 26 October 2022 (effective from 1 October 2020) ('the Consumer Friend Agreement') as the second respondent's "permitted assign"

and/or “other legal successor”) for purposes of clause 1.4 thereof.

3. The first respondent is directed to comply with the Consumer Friend agreement in relation to the portfolio, including (without limitation) clause 13.1 thereof, by recognising and giving effect to the applicant’s entitlement to retain and administer Paying Matters (as defined therein) until they are paid in full.
4. Directing the first respondent, within 24 hours of service of this order, to take all steps within its power (including issuing written instructions to all relevant payment distribution agents (PDA’s) and any third party administrators and/or service providers utilised by the first respondent in relation to the portfolio) to ensure that payments in respect of the portfolio (and, in particular, Paying Matters) are routed for onward transmission to the applicant in accordance with existing administration and payment-flow arrangements contemplated by the Consumer Friend agreement within 24 hours of service of this order.
5. The first respondent is interdicted and restrained, pending full compliance with paragraphs 3 and 4 above, from:

- 5.1 instructing any PDA, debtor, debt counsellor, or third party administrator or service provider to route payments away from the applicant in respect of the portfolio;
- 5.2 receiving, retaining applying appropriate or dealing with payments in respect of the portfolio otherwise than as contemplated by the Consumer Friend agreement; and
- 5.3 interfering, directly or indirectly, with the applicant’s administration of the portfolio.

6. The first respondent is further directed, within 5 court days of service of this order, to furnish the applicant with a schedule certified by a duly authorised representative of the first



respondent reflecting, in respect of the portfolio:

6.1 the account identifiers;

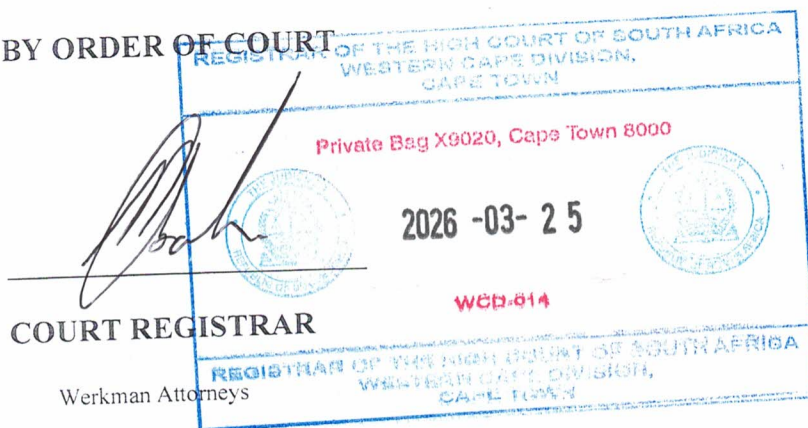
6.2 the relevant PDAs and/or payment channels; and

6.3 all receipts collected from 1 February 2026 to date.

7. The first respondent is ordered to pay costs of two counsel on scale C.



BY ORDER OF COURT



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