

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21035

In the Matter of

Energem Resources, Inc.
f/k/a DiamondWorks Ltd.,

Respondent.

STATUS REPORT

On September 7, 2022, the Securities and Exchange Commission (the “Commission”) issued an Order Instituting Proceedings (“OIP”), pursuant to Section 12(j) of the Securities Exchange Act of 1934, against Energem Resources, Inc. f/k/a DiamondWorks Ltd. (“Respondent” or “Energem”).

The Commission’s Office of the Secretary served the Canadian address from Energem’s last Form 20-F by express mail in September 2022. The Division of Enforcement (the “Division”) attempted to deliver the OIP to the South African address from Energem’s Form SC 13D/A in November 2022, but the “Customer [was] not available or [the] business [was] closed.” *See* Status Report dated November 14, 2022.

On March 24, 2023, the Commission issued an Order Regarding Service asking the Division to address “whether service by this method-*i.e.*, service by U.S. mail with confirmation of attempted delivery-is prohibited by South African law.”

Attached as Exhibit 1 is the Affidavit of Jonathan Sahli, an attorney based in South Africa who has been admitted as an attorney of the South African High Court for over 17 years,

is the the Co-Head of the Litigation Practice at Bowmans, an international law firm, has extensive experience in cross-border litigation, and has knowledge of South African law on service of process. In his Affidavit, Mr. Sahli opines that service of process originating from the United States to a resident of South Africa through postal channels, where service is deemed complete upon confirmation of attempted delivery, is not prohibited by South African law. Therefore, the Division asserts that service was effected upon Respondent pursuant to Rule 141(a)(2)(iv)(A) of the Commission's Rules of Practice.

Dated: May 17, 2023

Respectfully submitted,

/s/ Gina Joyce

Samantha Williams (202) 551-4061

Gina M. Joyce (202) 551-4850

Securities and Exchange Commission

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COUNSEL FOR
DIVISION OF ENFORCEMENT

EXHIBIT 1

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AFFIDAVIT OF JONATHAN SAHLI

I, Jonathan Sahli, do hereby declare as follows:


1. I am an attorney in Johannesburg, South Africa. I have been admitted as an attorney of the South African High Court for over 17 years. I specialize in commercial litigation and am the Co-Head of the Litigation Practice at Bowmans, an international law firm. I have extensive experience in cross-border litigation and knowledge of South African law on service of process in such proceedings. A true and correct copy of my C.V. is attached.

2. I have been asked to opine on whether service of process originating from the United States to a resident of South Africa through postal channels, where service is deemed complete upon confirmation of attempted delivery, is prohibited by South African law.

3. It is my opinion that this method of service is not prohibited by South African law.

I declare under penalty of perjury under the laws of the United States of America that the foregoing factual information is true and correct and that the opinion set forth above is my professional opinion.

Executed on May 18, 2023.


Jonathan Sahli



JONATHAN SAHLI

Co-Head of Litigation
Johannesburg, South Africa

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- **OVERVIEW**
- **EXPERIENCE**
- **PUBLICATIONS & INSIGHTS**

Jonathan is Co-Head of our Litigation Practice and a member of the Dispute Resolution department.

Jonathan specialises in domestic and cross-border litigation, with particular expertise in arbitration and High Court litigation.

Jonathan has advised clients extensively in transactional disputes, shareholder and company law disputes, contractual claims and insolvency and business rescue issues.

Jonathan has successfully represented numerous clients, including banks, financial institutions, insurers, mining houses, pharmaceutical companies, medical schemes, construction companies, hotel groups, I.T companies and TMT companies.

Jonathan is a qualified mediator accredited by both the Africa Centre for Dispute Settlement and the Centre for Effective Dispute Resolution in the United Kingdom.

He has BA and LLB degrees from the University of the Witwatersrand. In 2021, he successfully completed the Leading Professional Services Firms Programme run by Saïd Business School at the University of Oxford, United Kingdom.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Status Report was served on May 17, 2023, in the manner indicated below:

By eFap:

Office of the Secretary

By FedEx:

Energem Resources, Inc.
f/k/a DiamondWorks Ltd.
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SOUTH AFRICA

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Vancouver, British Columbia V6C 3L6
CANADA

/s/ Gina Joyce
Gina Joyce