

Lerothodi Mohale

9 Ackerman Street, Albertville, Johannesburg
Admission as attorney: 29 March 2012

lerothodi139@gmail.com
+27 72 560 1527

KEY EXPERTISE

- Corporate restructuring
- Business rescue
- Insolvency
- Corporate advice
- Commercial drafting
- Commercial disputes
- Mergers and acquisitions
- Debt-equity swap transactions
- Asset and business sale transactions
- Share sale transactions
- Real estate
- Insurance advice and disputes
- Cross-border disputes
- Debt recovery
- Sectors: financial, transport, health, agriculture, property and mining

CAREER HIGHLIGHTS

- Advised the South African government on restructuring South African national airline. Considering cross default on government guarantees and implications of business rescue on aircraft leases
- Advice on South African and Namibian insolvency law in relation to perfection of a creditor's security. Advised on the effect of UK insolvency proceedings on a Namibian entity and enforcement of security rights during a debtor's insolvency
- Assisted in the restructuring of a large South African telecoms company through a creditors' compromise, followed by a court application to sanction the compromise. Transaction resulted in the company's reduced restructured debt and increased equity by a shareholder
- Assisted an international food processing company in acquiring a South African company in business rescue – through acquiring a creditor's claim and then acquiring the company. This involved complex commercial negotiations and agreements and the ultimate adoption of a business rescue plan backed by the international company
- Voluntary winding-up of solvent South African companies owned by a Russian company. Advised South African and Tanzanian directors, and representatives of the Russian company
- Advising a Dutch company on contractual breach, recovery action, and international arbitration against an entity based in Botswana

PROFESSIONAL EXPERIENCE

Fasken, Johannesburg

Senior Associate, restructuring and insolvency

1 August 2019 – Present

- Corporate restructuring and insolvency work
- Advising shareholders, creditors and directors in relation to insolvency and business rescue
- Acting for business rescue practitioners and liquidators
- Commercial negotiations and drafting agreements, recovery and litigation in restructuring and liquidation
- Assessing creditors' claims and drafting business rescue plans

Hogan Lovells South Africa, Johannesburg

Senior Associate, restructuring and insolvency

1 March 2018 – 31 July 2019

- Corporate restructuring and insolvency work
- Advising shareholders, creditors and directors in relation to insolvency and business rescue
- Acting for business rescue practitioners and liquidators
- Involved in all commercial, strategic, recovery and litigation aspects of restructuring distressed entities and companies in liquidation

Norton Rose Fulbright South Africa, Johannesburg*Senior Associate, restructuring and insolvency*

1 June 2016 – 28 February 2018

- Financial restructuring, business rescue and liquidation
- Commercial and property litigation (investigation of claims, drafting pleadings and High Court litigation)
- Corporate investigations (document review, fact-finding investigations of executive employees' conduct)
- Pension funds and medical aid schemes litigation

Norton Rose Fulbright South Africa, Johannesburg*Senior Associate, insurance*

1 January 2013 – 31 May 2016

- Investigations of liability and quantum on insurance claims
- High Court litigation (drafting pleadings and appearing in the High Court)
- Cross-border litigation and investigations in Botswana and Mozambique
- Investigating and defending medical malpractice claims in South Africa and Botswana

Norton Rose Fulbright South Africa, Johannesburg*Associate, real estate*

30 March 2012 – 31 December 2012

- All functions related to registration and cancellation of deeds
- Mass property due diligence and transfer
- Advising on the sale and lease of immovable property, and drafting related agreements and documents
- Transmission of funds to offshore bank account
- Administration and winding up of deceased estates

Norton Rose Fulbright South Africa, Johannesburg*Candidate attorney (four different teams)*

1 January 2010 – 29 March 2012

- Corporate and commercial litigation (legal research, opinion-writing, High and Mag Court litigation)
- Insurance litigation (investigations and High Court litigation)
- Professional indemnity and construction (legal research, opinion-writing, High and Mag Court litigation)
- Real estate and property (execution of bond and property registration documents)

Norton Rose Fulbright South Africa, Johannesburg*Vacation student*

2007, 2008 and 2009

- Competition law research and merger filings
- Corporate and commercial litigation: legal research, mediation
- Banking and finance: legal research
- Information and technology: commercial drafting
- Professional indemnity: legal research

University of Johannesburg*Faculty of Law tutor*

2008 and 2009

- Tutoring first-year law students
- Marking assignments, projects and class tests
- Judging moot court sessions
- Coaching students for external moot court competition

EDUCATION

University of Johannesburg, South Africa

LLB

2009

Carleton Jones High School, Gauteng, South Africa*Senior Certificate with university exemption*

2005

PROFESSIONAL TRAINING

- Companies Act, 2008 | Wits University *March – June 2011*
- Consumer Protection Act, 2008 | Norton Rose Fulbright *April – June 2011*
- Protection of Personal Information Act, 2013 | Wits University *November 2012 – February 2013*
- Media presentation | CNBC Africa *12 September 2012*