

# NKGADI MOGOTLANE

Address: 32 Ballyclare Drive, Bryanston, 2191 · Phone: +27832598001

Email · [Nkgadi.Mogotlane@absa.africa](mailto:Nkgadi.Mogotlane@absa.africa)

I am a Senior Legal Advisor in the Special Asset Management team at Absa Bank Limited.

I advise the Bank on insolvency, restructuring and business rescue related matters.

## EXPERIENCE

MAY 2021 – TO DATE

**SENIOR LEGAL ADVISOR, ABSA BANK LIMITED**

- Review and prepare legal opinions, reports, letters, transaction documents, including facility letters, intercreditor agreements, security documents, ensuring that the transactions are accurately documented, the bank's risks adequately catered for, and security as required by internal committees is adequate, complete, and enforceable.
- Negotiate transactions, along with the deal team to restructure borrower's facilities (informally or formally).
- Advise the bank in matters where an affected party has filed for the business rescue of a borrower.
- Provide case law updates

MAY 2020 – APRIL 2021

**SENIOR LEGAL ADVISOR, NEDBANK LIMITED**

- Negotiated and developed deal structures as legal advisor to assist the team formulate client strategies in transactions where borrowers were in financial distress; advised on restructures to client facilities
- Evaluated the adequacy and enforceability of security through a legal due diligence and provided legal opinions.
- Reviewed and prepared transaction documents including facility letters, intercreditor agreements, common terms agreements and security documents to ensure that transactions were accurately documented, the bank's risks sufficiently covered, and security complete and enforceable.
- Reported on transactions from a legal perspective to various internal committees.
- Advised the bank on matters potentially attracting or with reputational risk.
- Provided case law updates.

MAY 2019 –MAY 2020

**SENIOR ASSOCIATE EXPORT CREDIT FINANCE, NEDBANK LIMITED**

Originated, negotiated, closed, and monitored transactions where insurance was required by Nedbank clients for capital expenditure. This was not a legal role. I sourced insurance quotes from insurance brokers for potential transactions; sourced pricing for the transactions; negotiated policies with insurers; negotiated legal agreements with internal legal counsel, borrowers, and their advisers; managed the closing of transactions and tracked the fulfilment of conditions precedent and monitored transactions and insurance policies post fulfilment of conditions precedent.

OCTOBER 2014– APRIL 2019

**SENIOR LEGAL ADVISOR, NEDBANK LIMITED**

- Joined Nedbank in the Investment Banking legal team to draft finance agreements.

- Seconded to the special portfolio team for 8 months and returned when made an offer to remain in the team.
- Negotiated and developed deal structures as legal advisor to assist the team formulate client strategies in transactions where borrowers were in financial distress; advised on restructures to client facilities.
- Evaluated the adequacy and enforceability of security through a legal due diligence and provided legal opinions.
- Reviewed and prepared transaction documents including facility letters, common terms agreements, intercreditor agreements and security documents to ensure that transactions were accurately documented, the bank's risks sufficiently covered, and security complete and enforceable.

JANUARY 2010– SEPTEMBER 2014

**SENIOR LEGAL ADVISOR, AECI LIMITED**

- Lead internal legal advisor on mergers and acquisitions
- Provided legal advisory services on corporate and commercial matters for approximately 21 subsidiaries and/or divisions conducting business in South Africa, Africa, Europe, and South America. The work entailed drafting and reviewing commercial agreements and providing legal opinions.
- First trustee for AECI employee share scheme.

JANUARY 2003–DECEMBER 2009

**SENIOR ASSOCIATE, BOWMANS**

- Joined as a candidate attorney, became an associate and thereafter a senior associate, specializing in mergers and acquisitions and general corporate and commercial advice.
- Seconded to Bowmans London office in 2008 where I conducted legal due diligence investigations in the Czech Republic and the United Kingdom and negotiated and advised on various acquisitions.

**EDUCATION**

APRIL 2003

**BACHELOR OF LAWS, UNIVERSITY OF KWAZULU NATAL, DURBAN CAMPUS**

APRIL 2000

**BACHELOR OF COMMERCE, RHODES UNIVERSITY**

1994

**MATRIC, ST. MARY'S DIOCESAN SCHOOL FOR GIRLS, PRETORIA**

**LEADERSHIP & SKILLS**

- Nedbank Makanyane Leadership Programme, Centre for Conscious Leadership
- Middle Management Development Programme, Gordon Institute for Business Science
- Results driven, meticulous, curious, diverse experience