



CORPORATE DEBT, TURNAROUND & RESTRUCTURING





UNMATCHED SUPPORT FOR OUR CLIENTS

Our seasoned team of lawyers in the Corporate Debt, Turnaround & Restructuring sector has deep experience in supporting companies, wherever they may find themselves along the distress and recovery curve.

We also act for and support the stakeholders (particularly shareholders, investors, creditors, employees and regulators) of these companies.

Whatever our clients' interests and role may be, we specialise in guiding them through the intricate landscape of corporate debt recoveries, informal business turnarounds and formal restructurings, to formulate and implement viable solutions for our clients.

We support our clients in making the right decisions at the right time. As American rock climber and mountaineer Conrad Anker said – The summit is what drives us, but the climb itself is what matters.

Due to our multi-disciplinary approach, we are able to build a deep understanding of our clients' businesses and their pressure points. At CDH, we don't just understand the law, we understand the numbers.

Where appropriate, we work closely with our clients' stakeholders to manage the diversity of expectations from start to finish.

Our approach and expertise ensure that we deliver innovative strategies and tailored solutions for our clients that are both pragmatic and commercial.



Our track record speaks for itself - our commitment to our clients has earned us accolades from industry peers and clients alike:

"Cliffe Dekker Hofmeyr is able to provide timely, commercial advice, guidance and support."

"The lawyers' commercial acumen and understanding of the business landscape ensures that they are able to provide commercially viable legal solutions that align with their clients' objectives."

"The team at Cliffe Dekker Hofmeyr has the ability to understand complex commercial issues."

CHAMBERS GLOBAL 2024

The team were extremely responsive and commercially minded. Their strengths include effective teamwork and mindfulness of costs. They worked under very tight timelines and never once let me down.

CHAMBERS GLOBAL 2023

Clients endorse the group's *"highly skilled and impressive attorneys,"* additionally noting the team's *"diversity of skills."*

CHAMBERS GLOBAL 2023

"The strength of the CDH team definitely lies in their sound knowledge and understanding of the law," with praise for the team's *"strategic approach."*

CHAMBERS GLOBAL 2022

Whether you are a distressed company seeking a lifeline, a stakeholder that wishes to protect their position, or an investor eyeing distressed assets, CDH is the partner that will support and stand with you, throughout the process.

Corporate Debt, Turnaround & Restructuring

Our service is comprehensive and tailored to all aspects of corporate debt recoveries, informal business turnarounds and formal restructurings. We understand the legal and regulatory landscape, and can advise on:

Corporate Debt

- Recovery of debts (including perfection of security)
- Forensic Investigations
- Protective orders
- Insolvency Enquiries
- Piercing the corporate veil
- Cross-border recognition proceedings




Restructuring (formal process)

- Compromises
- Business rescue
- Liquidation and sequestration proceedings
- Cross-border insolvency and recognition proceedings




Turnaround (informal process)

- Business Optimisation
- Structural and operational reorganisation
- Capital restructuring
- Advising on risks
- Crisis stabilisation
- Stakeholder management
- Board/shareholder deadlocks
- Distressed M&A



We also share our considerable knowledge for the benefit of our clients through continuous skills training. We keep clients informed on developments through seminars and our regular Alerts.

A close-up photograph of a hiker's brown leather boot with orange laces stepping on a grey rock. The boot is positioned on the right side of the frame. In the foreground, there are several colorful wildflowers, including purple, yellow, and pink ones. The background shows a mountain range with snow-capped peaks under a blue sky. A white diagonal line is visible in the top right corner.

A safe pair of hands and
teamwork can make
stepping stones from
obstacles and turn trials
into triumphs.

Reach out. We've got you.

MARKET RECOGNITION

Our Corporate Debt, Turnaround & Restructuring team is externally praised for its depth of resources, capabilities and experience.

Chambers Global 2018–2024 ranked us in Band 2 for restructuring/insolvency.

The way we support and interact with our clients attracts significant external recognition.

Nastascha Harduth is the Head of our Business Rescue, Restructuring & Insolvency sector and a Director in our Dispute Resolution practice. *Chambers Global 2023–2024* ranked her in Band 4 for restructuring/ insolvency. *Chambers Global 2020–2022* ranked Nastascha as 'Up & Coming' for restructuring/insolvency.

Sammy Ndolo is the Kenya Managing Partner. *Chambers Global 2021–2024* ranked Sammy in Band 4 for corporate/M&A. *Chambers Global 2023–2024* ranked him in Band 4 for banking & finance. *The Legal 500 EMEA 2024* recommended Sammy as a 'Leading Individual' for banking, finance & capital markets. *The Legal 500 EMEA 2022–2023* recommended him for banking, finance & capital markets *The Legal 500 EMEA 2023–2024* also recommended Sammy for corporate, commercial/M&A. *IFLR1000 2021–2023* ranked him as a 'Notable Practitioner'.

Emil Brincker is the Practice Head of our Tax & Exchange Control team. *Chambers Global 2003–2024* has consistently ranked him in Band 1 for tax. *The Legal 500 EMEA 2017–2024* recommended Emil as a 'Leading Individual' for tax and named him Lawyer of the Year for tax in 2021.

Chris Charter is the Practice Head of our Competition Law team. *Chambers Global 2018–2024* ranked him in Band 1 for competition/antitrust. *The Legal 500 EMEA 2017–2024* recommended Chris as a 'Leading Individual' for competition. *The Legal 500 EMEA 2012–2016* recommended him for competition. *IFLR1000 2019–2023* recommended him as a highly regarded lawyer. *IFLR1000 2011–2018* recommended Chris as a leading lawyer. *Global Competition Review 2020–2021* named Chris a highly recommended lawyer.

Mashudu Mphafudi is the Practice Head of our Finance & Banking team. *The Legal 500 EMEA 2021–2024* recommended Mashudu for banking & finance. *IFLR1000 2019–2023* recommended him as a highly regarded lawyer for banking, capital markets: debt, and project finance. *IFLR1000 2018* recommended Mashudu as a 'Rising Star' for banking, capital markets: debt and project finance.

Aadil Patel is the Practice Head of our Employment Law team, and the Head of our Government & State-Owned Entities sector. *Chambers Global 2024* ranked Aadil in Band 1 for employment. *Chambers Global 2015–2023* ranked him in Band 2 for employment. *The Legal 500 EMEA 2021–2024* recommended Aadil as a 'Leading Individual' for employment and recommended him from 2012–2020.

David Thompson is a director and the Deputy Practice Head of our Corporate & Commercial practice. *Chambers Global 2024* ranked David in Band 5 for corporate/M&A. *Chambers Global 2015–2023* ranked him in Band 4 for corporate/M&A. *The Legal 500 EMEA 2020* and *2022–2023* recommended him for corporate, commercial/M&A. *IFLR1000 2021–2023* ranked David as highly regarded in M&A.

André de Lange is the Head of our Agriculture, Aquaculture & Fishing sector. *The Legal 500 EMEA 2022* recommended him for banking & finance.

Tim Smit is the Head of our Consumer Goods, Services & Retail sector, and a director in our Dispute Resolution practice. *The Legal 500 EMEA 2020–2023* recommended him as a 'Next Generation' lawyer for dispute resolution.

Chambers Global 2023–2024 ranked **Albert Aukema** in Band 5 for competition/antitrust. *Chambers Global 2020–2022* ranked him as an 'Up & Coming' competition/antitrust lawyer. *The Legal 500 EMEA 2021–2024* recommended Albert for competition.

Gerhard Badenhorst was awarded an individual 'Spotlight Table' ranking in *Chambers Global 2022–2024* for tax: indirect tax. *Chambers Global 2009–2021* ranked him in Band 1 for tax: indirect tax. *The Legal 500 EMEA 2012–2022* recommended Gerhard for tax. *The Legal 500 EMEA 2023–2024* recommended him as a 'Leading Individual' for tax.

MARKET RECOGNITION...continued

The Legal 500 EMEA 2018, 2020–2024 recommended **Timothy Baker** for construction.

The Legal 500 EMEA 2015–2021 recommended **Eugene Bester** for dispute resolution.

Chambers Global 2024 ranked **Jerome Brink** as and 'Up & Coming' tax lawyer. *The Legal 500 EMEA 2023–2024* recommended Jerome as a 'Next Generation' lawyer for tax. *The Legal 500 EMEA 2022* recommended him for tax.

The Legal 500 EMEA 2023 recommended **Petr Erasmus** for tax.

Chambers Global 2019–2024 ranked **Peter Hesseling** in Band 2 for corporate/M&A. *Chambers Global 2023–2024* ranked him in Band 3 for Capital Markets: Equity. *Chambers Global 2017–2018* ranked him in Band 3 for corporate/M&A. *The Legal 500 EMEA 2012–2024* recommended Peter for commercial, corporate/M&A. *The Legal 500 EMEA 2022* recommended Peter for banking & finance. *IFLR1000 2021–2023* recommended Peter as a market leader for restructuring & insolvency, and M&A. *IFLR1000 2018–2020* recommended Peter as a highly regarded lawyer for restructuring & insolvency, and M&A.

The Legal 500 EMEA 2024 recommended **Dane Kruger** for commercial, corporate/M&A.

Chambers Global 2021–2024 ranked **Imraan Mahomed** in Band 2 for employment and in Band 3 from 2014–2020. *The Legal 500 EMEA 2020–2024* recommended him for employment.

The Legal 500 EMEA 2024 recommended **Sentebale Makara** for construction.

The Legal 500 EMEA 2022–2024 recommended **Desmond Odhiambo** for dispute resolution.

The Legal 500 EMEA 2021–2024 recommended **Howmera Parak** for tax.

David Pinnock is the Joint Head of our Private Equity sector, and a director in our Corporate & Commercial practice.

Chambers Global 2017–2024 ranked David in Band 1 for private equity. *The Legal 500 EMEA 2020–2023* recommended him as a 'Leading Individual' for commercial, corporate/M&A. *The Legal 500 EMEA 2016–2019* recommended him for commercial, corporate/M&A. *IFLR1000 2018–2023* recommended David as a 'Notable Practitioner' in private equity, and M&A.

Chambers Global 2023–2024 ranked **Lucinde Rhoodie** in band 4 for dispute resolution. *The Legal 500 EMEA 2021–2024* recommended her for dispute resolution.

IFLR1000 2021–2023 ranked **Tamarin Tosen** as a 'Rising Star' for M&A.

Chambers Global 2024 ranked **Njeri Wagacha** in Band 3 for FinTech. *The Legal 500 EMEA 2022–2024* recommended Njeri for employment. *The Legal 500 EMEA 2023–2024* recommends her for corporate, commercial/M&A.

Chambers Global 2024 ranked **John Webber** in Band 1 for real estate. *Chambers Global 2021–2023* ranked John in Band 2 for real estate and in Band 3 in 2019–2020. *The Legal 500 EMEA 2021–2024* recommended him as a 'Leading Individual' for real estate.

Chambers Global 2021–2024 ranked **Deon Wilken** in Band 3 for banking & finance. *The Legal 500 EMEA 2013–2023* recommended him for banking & finance. *IFLR1000 2018–2023* recommended Deon as a highly regarded lawyer for capital markets: debt, energy and infrastructure, and for project finance.



OUR TEAM

For more information about our Corporate Debt, Turnaround & Restructuring sector and services in South Africa and Kenya, please contact:



Nastascha Harduth

Sector Head: Corporate Debt,
Turnaround & Restructuring
Director
T +27 (0)11 562 1453
E nastascha.harduth@cdhlegal.com



Chris Charter

Practice Head & Director:
Competition Law
T +27 (0)11 562 1053
E chris.charter@cdhlegal.com



David Thompson

Deputy Practice Head & Director:
Corporate & Commercial
T +27 (0)21 481 6335
E david.thompson@cdhlegal.com



Albert Aukema

Director:
Competition Law
T +27 (0)11 562 1205
E albert.aukema@cdhlegal.com



Eugene Bester

Director:
Dispute Resolution
T +27 (0)11 562 1173
E eugene.bester@cdhlegal.com



Peter Hesseling

Director:
Corporate & Commercial
T +27 (0)21 405 6009
E peter.hesseling@cdhlegal.com



Sammy Ndolo

Managing Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E sammy.ndolo@cdhlegal.com



Mashudu Mphafudi

Practice Head & Director:
Banking, Finance & Projects
T +27 (0)11 562 1093
E mashudu.mphafudi@cdhlegal.com



André de Lange

Sector Head: Agriculture,
Aquaculture & Fishing
Director: Corporate & Commercial
T +27 (0)21 405 6165
E andre.delange@cdhlegal.com



Gerhard Badenhorst

Director:
Tax & Exchange Control
T +27 (0)11 562 1870
E gerhard.badenhorst@cdhlegal.com



Jerome Brink

Director:
Tax & Exchange Control
T +27 (0)11 562 1484
E jerome.brink@cdhlegal.com



Dane Kruger

Director:
Corporate & Commercial
T +27 (0)21 481 6362
E dane.kruger@cdhlegal.com



Emil Brincker

Practice Head & Director:
Tax & Exchange Control
T +27 (0)11 562 1063
E emil.brincker@cdhlegal.com



Aadil Patel

Practice Head & Director:
Employment Law
Sector Head:
Government & State-Owned Entities
T +27 (0)11 562 1107
E aadil.patel@cdhlegal.com



Tim Smit

Sector Head: Consumer Good,
Services & Retail Sector
Director: Dispute Resolution
T +27 (0)11 562 1085
E tim.smit@cdhlegal.com



Timothy Baker

Director:
Dispute Resolution
T +27 (0)21 481 6308
E timothy.baker@cdhlegal.com



Petr Erasmus

Director:
Tax & Exchange Control
T +27 (0)11 562 1450
E petr.erasmus@cdhlegal.com



Nomlayo Mabhena-Miilo

Director:
Dispute Resolution
T +27 (0)11 562 1743
E nomlayo.mabhena@cdhlegal.com

OUR TEAM...continued

For more information about our Corporate Debt, Turnaround & Restructuring sector and services in South Africa and Kenya, please contact:



Imraan Mahomed

Director:
Employment Law
T +27 (0)11 562 1459
E imraan.mahomed@cdhlegal.com



Richard Marcus

Director:
Dispute Resolution
T +27 (0)21 481 6396
E richard.marcus@cdhlegal.com



Howmera Parak

Director:
Tax & Exchange Control
T +27 (0)11 562 1467
E howmera.parak@cdhlegal.com



Lucinde Rhodie

Director:
Dispute Resolution
T +27 (0)21 405 6080
E lucinde.rhodie@cdhlegal.com



Njeri Wagacha

Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E njeri.wagacha@cdhlegal.com



Deon Wilken

Director:
Banking, Finance & Projects
T +27 (0)11 562 1096
E deon.wilken@cdhlegal.com



Sentebale Makara

Director:
Dispute Resolution
T +27 (0)11 562 1181
E sentebale.makara@cdhlegal.com



Yvonne Mkefa

Director:
Employment Law
T +27 (0)21 481 6315
E yvonne.mkefa@cdhlegal.com



David Pinnock

Joint Sector Head: Private Equity
Director: Corporate & Commercial
T +27 (0)11 562 1400
E david.pinnock@cdhlegal.com



Belinda Scriba

Director:
Dispute Resolution
T +27 (0)21 405 6139
E belinda.scriba@cdhlegal.com



John Webber

Director:
Real Estate Law
T +27 (0)11 562 1444
E john.webber@cdhlegal.com



Vincent Manko

Director:
Dispute Resolution
T +27 (0)11 562 1660
E vincent.manko@cdhlegal.com



Desmond Odhiambo

Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E desmond.odhiambo@cdhlegal.com



Vivek Ramsaroop

Director:
Corporate & Commercial
T +27 (0)11 562 1015
E vivek.ramsaroop@cdhlegal.com



Tamarin Tosen

Director:
Corporate & Commercial
T +27 (0)11 562 1310
E tamarin.tosen@cdhlegal.com



Emily West

Director:
Trusts & Estates
T +27 (0)11 562 1182
E emily.west@cdhlegal.com

BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa.

Dx 154 Randburg and Dx 42 Johannesburg.

T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.

T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

NAIROBI

Merchant Square, 3rd floor, Block D, Riverside Drive, Nairobi, Kenya. P.O. Box 22602-00505, Nairobi, Kenya.

T +254 731 086 649 | +254 204 409 918 | +254 710 560 114

E cdhkenya@cdhlegal.com

STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.

T +27 (0)21 481 6400 E cdh Stellenbosch@cdhlegal.com

©2024 13622/AUG

