



David Hertz

CHAIRMAN

Phone: +27 11 535 8283 Email: dhertz@werksmans.com Location: Johannesburg

David Hertz, Chairman of Werksmans, joined as a Candidate Attorney in 1989. He has been ranked as a leading lawyer in numerous independently-conducted ratings of the legal profession locally and internationally and previously led the Werksmans Dispute Resolution & Litigation Practice for ten years to its current pre-eminent position.

EXPERTISE

- Litigation and dispute resolution
 - Mediation
 - Corporate law
 - Insurance
 - Litigation relating to flotations/listings
 - Mergers, acquisitions, management buy-outs and take-overs
 - Resources law
- Arbitration
 - Alternative dispute resolution (adr)
 - Corporate fraud
 - Intellectual property
 - Stock exchange and public documents
 - Mining law

RELEVANT EXPERIENCE

Advised / Represented / Acted on behalf of:

- Represented Tongaat Hulett Limited (“THL”) in a commercial dispute arising out of an agreement it entered into with KLL Group (Proprietary) Limited, a wholly-owned subsidiary of Barloworld Limited (“Barloworld”), for the purchase of THL’s starch business as a going concern. The disposal agreement was subject to a material adverse change (“MAC”) clause. Barloworld gave notice of a MAC event occurring as a result of, inter alia, the COVID-19 pandemic which, in its view, was reasonably likely to cause the March 2021 EBITDA of the starch business to be 82.5% less than the March 2020 EBITDA. THL disputed that the above MAC event had occurred. The dispute was heard before an independent third expert, who ruled wholly in favour of THL.
- Lead attorney representing the Steinhoff Group in the largest corporate collapse in South African history. The representation is multi-faceted including:
 - retaining experts to conduct an investigation into accounting irregularities;
 - advising on regulatory and enforcement matters both in South Africa and internationally; and
 - representing the Steinhoff Group in resisting claims which have been instituted against it and in pursuing claims against various third parties.

CAREER

- BA LLB (Wits)
- 1993: Director, Werksmans
- Head of Litigation & Dispute Resolution department
- 2015: Chairman, Werksmans

HIGHLIGHTS

- Ranked by Chambers Global | eminent practitioner | Dispute Resolution | 2026
- Ranked by Legal 500 | hall of fame | Dispute Resolution | 2026
- Ranked by Chambers Global | eminent practitioner | Dispute Resolution | 2025
- Ranked by Chambers Global | band 1 | Dispute Resolution | 2008, 2019 – 2022, 2024
- Ranked by Legal 500 | hall of fame | Dispute Resolution | 2022, 2024, 2025
- Ranked as a leading practitioner by Legal 500 | Dispute Resolution | 2010 – 2021
- Ranked as an expert consultant by IFLR 1000 | Energy and Infrastructure, Project Development | 2022, 2024 and 2025
- Ranked as a highly regarded practitioner by IFLR 1000 | Energy and Infrastructure; Project Development; Competition/Antitrust | 2015 – 2020
- Named as a recommended lawyer in Who’s Who Legal | Litigation | 2019 – 2021
- Lifetime achievement award for commercial law by SAPSA in 2019.
- Nominated as one of the most outstanding litigation lawyers by Acrita’s in 2019.

ADDITIONAL INFORMATION

Key Matters:

- Led the legal team on the R4.2 billion Johannesburg Stock Exchange listing for TechCo Holdings (2024)
- Principal advisor on the cross-border merger between Sasol Mining and Anglo Resources
- Represented the South African Reserve Bank in regulatory reform consultations