WERKSMANS
ATTORNEYS



Neo Kgame

DIRECTOR

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Neo Kgame is a Director in the Insolvency, Business Rescue & Restructuring practice area. She has a particular focus on assisting and advising financial institutions, and creditors across various industries including agriculture, construction, gambling and gaming, mining, information and technology, property and retail, in all aspects of insolvency, restructuring and business rescue proceedings.

In addition to her specialty in Insolvency, Business Rescue and Restructuring, Neo has experience in corporate and commercial litigation, including banking litigation, insurance-related litigation and dispute resolution, mining-related litigation and dispute resolution; company-law-related litigation and dispute resolution; contractual litigation and dispute resolution; and shareholder and directors' litigation and dispute resolution.

Years of Experience: 6 years

PRACTICE AREAS

- Insolvency & Business Rescue

EXPERTISE

Neo specializes in insolvency law, with particular focus on assisting and advising financial institutions and creditors in:

- Liquidations; Sequestrations;
- Opposition of business rescue applications;
- Debtor and insolvency recovery actions;
- Commercial recoveries; and
- Residential and commercial evictions.

RELEVANT EXPERIENCE

- Dispute Resolution Insolvency
- Business Rescue and Insolvency

Acts for and advises a variety of financial institutions and South African banks (including FirstRand Bank Limited, Investec Bank Limited, ABSA Bank Limited, Nedbank Limited, The Standard Bank of South Africa Limited, Sasfin Bank Limited and the Prudential Authority of the South African Reserve Bank) regularly in relation to:

- Defending creditors' rights in liquidations, sequestrations, business rescue, out of court restructurings and compromise procedures (both formal and informal).
- Conducting of investigations and enquiries into the trade, dealings and affairs of insolvent companies particularly in relation to fraudulent and reckless trading conduct.
- Recovery of corporate debt exposure in various financially distressed companies.

- Exit strategies from problematic lending transactions.
- Guidance and strategies on how to deal with distressed companies across various industries including, agriculture, aviation, construction, mining, property and retail.
- Institution of legal proceedings for the recovery of debts, enforcement of mortgage bonds, cessions, suretyships, guarantees and perfection of notarial bonds.
- Execution of court orders against immovable and movable property of judgment debtors.
- Ranking of security and creditors' claims in insolvency and business rescue proceedings.

CAREER

- Admitted as an Attorney, 2018
- LLB, University of the Witwatersrand, 2016
- BCom, University of the Witwatersrand, 2014

HIGHLIGHTS

Advised / Represented / Acted on behalf of:

- The Government of the Republic of South Africa and the Tirisano Construction Fund in the business rescues proceedings of Murray & Roberts Limited (an engineering and contracting group of companies).
- The Prudential Authority of the South African Reserve Bank in the liquidation proceedings of Habib Overseas Bank Limited.
- The provisional liquidators of Comair Limited in the winding-up of the insolvent estate.
- FirstRand Bank Limited (as a major creditor) in the business rescue proceedings of the largest citrus exporter in South Africa.
- The consortium of lenders, and then the liquidators, in the liquidation of Diesel Power Open Cast Mining (Pty) Ltd (a mining contractor for large opencast mines in South Africa).
- Systems Applications Products (South Africa) (Pty) Ltd (as a creditor) in the business rescue proceedings of South African Airways SOC (South Africa's former national airline carrier).
- TE Connectivity Solutions GmbH (a leading global manufacturer of electronic parts) in successfully instituting liquidation proceedings against its South African distributor.
- Various creditors in the insolvent estate of Martin Ashley Levick (South African billionaire and former CEO of Genesis Capital who defrauded investors around the world).
- Standard Bank (as a major creditor) in all aspects of the liquidation of Tubular Holdings and its subsidiaries which conducted their businesses in construction, manufacturing and property.