

LIVINGSTON LEANDY INCORPORATED

ATTORNEYS, NOTARIES AND CONVEYANCERS

CORPORATE PROFILE

**Ground Floor, Building 5
Glass House Office Park
309 Umhlanga Rocks Drive
La Lucia Ridge
4051**

www.livingston.co.za

info@livingston.co.za

Telephone: (031) 536 7500

Fax: (031) 566 2470



TABLE OF CONTENTS

1. INTRODUCTION 2

2. BROAD BASED BLACK ECONOMIC EMPOWERMENT 2

3. GENDER EQUALITY 2

4. SERVICES PROVIDED..... 2

5. DIRECTORS, ASSOCIATES & CONSULTANTS 10

6. STAFFING 15

7. AWARDS 1616



1. INTRODUCTION

Livingston Leandy Incorporated (“LLI”) was born of the merger between two of Durban’s oldest legal firms, Livingston Doull & Winterton and Leandy & Partners, which trace their combined history back more than 130 years.

Since the merger in 1989, LLI has built on the solid foundation provided by these two respected firms, establishing itself as a trusted name on the KwaZulu-Natal legal landscape. Today, LLI operates from La Lucia Ridge, north of Durban. Although located in the greater Durban area, LLI represents clients across the country through a network of correspondent attorneys.

Our goal is to be recognised as a leading South African law firm with a reputation for integrity and providing expert, innovative and cost-effective solutions to our clients.

2. BROAD BASED BLACK ECONOMIC EMPOWERMENT

LLI is committed to being representative of a democratic and transformed South Africa. LLI is currently a 51% black-owned business and is recognised as a Level 2 contributor in terms of the Codes of Good Practice gazetted under the Broad Based Black Economic Empowerment Act 53 of 2003.

3. GENDER EQUALITY

LLI actively promotes gender equality with 8 of our attorneys being women, including our current managing director.

4. SERVICES PROVIDED

LLI offers extensive services tailored to meet the needs of clients including large and small business entities, parastatals, organs of state and individuals. Our areas of service include, but are not limited to:-



4.1. Corporate and Commercial Law

This department focuses on the following services:-

- 4.1.1. company law and corporate governance
- 4.1.2. corporate structuring, restructuring and mergers (including B-BBEE structuring)
- 4.1.3. formation of companies and trusts
- 4.1.4. offshore structuring using companies, trusts, and foundations in various jurisdictions, more particularly in Mauritius, Guernsey, and Jersey
- 4.1.5. joint ventures and partnerships
- 4.1.6. commercial agreements and contracts, including shareholders and association agreements, purchase and sale agreements, lease agreements, sale of shares, trade and investment agreements, franchising and licensing agreements and sale of business agreements
- 4.1.7. consumer protection and protection of personal information
- 4.1.8. e-commerce, media, IT and intellectual property;
- 4.1.9. commercial, property and estate litigation and dispute resolution
- 4.1.10. liquidations, sequestrations, and business rescue
- 4.1.11. competition law and making submissions to the Competition Commission and Tribunal

4.2. Tax

The tax department provides the following services:-

- 4.2.1. tax advice



- 4.2.2. corporate tax planning
- 4.2.3. tax structuring
- 4.2.4. tax dispute resolution
- 4.2.5. personal and corporate estate planning

4.3 Property and Conveyancing

The property and conveyancing department has significant experience in all aspects of property law including:-

- 4.3.1 registration of a wide range of property transfers
- 4.3.2 subdivisions and consolidations
- 4.3.3 opening of township registers and advising on conditions of establishment of townships
- 4.3.3 advising on and opening of sectional title registers including the formulation of rules and creation of management associations
- 4.3.4 share-block schemes
- 4.3.5 registration of servitudes
- 4.3.6 registration of mortgage bonds and notarial bonds
- 4.3.7 drafting of property and finance related agreements
- 4.3.8 furnishing of general advice on property related matters
- 4.3.9 LLI is on the panel of conveyancers for most major banks, attending to both home loan transactions and commercial property transactions



4.4 Shipping and Maritime Law

This department deals with all aspects of shipping and maritime law including:-

- 4.4.1 ship arrests, drafting of papers for security arrests (both associated and direct), *in rem and in personam*
- 4.4.2 advising clients of all arrest requirements
- 4.4.3 advising clients on setting aside of arrests, opposing applications for same
- 4.4.4 advising clients on applications for counter – security and security for costs
- 4.4.5 advising clients on port regulations and related legislation
- 4.4.6 judicial ship sales, drafting of application papers and arranging for ship sale auctions and drafting and filing of claims against ship funds with the appointed Referee, objections and replies to claims
- 4.4.7 drafting of letters of undertaking and settlement agreements
- 4.4.8 attending on board vessels following casualties, interviewing crew and taking statements and collating relevant ships documents and records for preservation
- 4.4.9 advising clients on access to vessel in terms of the Admiralty Act
- 4.4.10 attending on board of inquiry investigations into fatalities and/or injuries at the ports including interviewing of witnesses, perusing and analyzing accident reports, drafting a report on the outcome of the board of inquiry investigation and associated recommendations

4.5 Litigation

This department handles a wide range of disputes including:-

- 4.5.1 constitutional law



- 4.5.2 administrative and public law
- 4.5.3 corporate governance issues
- 4.5.4 company and commercial law issues
- 4.5.5 unlawful competition and restraints of trade
- 4.5.6 tax litigation
- 4.5.7 debt recoveries and foreclosures
- 4.5.8 banking law
- 4.5.9 insurance law
- 4.5.10 medical negligence law
- 4.5.11 personal injury law
- 4.5.12 labour and employment law
- 4.5.13 property disputes
- 4.5.14 town planning and construction law
- 4.5.15 land claims
- 4.5.16 environmental law
- 4.5.17 product liability
- 4.5.18 consumer protection
- 4.5.19 protection of personal information
- 4.5.20 estate disputes
- 4.5.21 insolvency and liquidation applications



4.5.22 tender disputes

4.5.23 matrimonial and family

4.6 Alternate Dispute Resolution

This division offers resolutions to disputes across all areas of law by way of mediation, negotiation and arbitration.

4.7 Debt Recoveries

This department provides the following services:-

4.7.1 high court and magistrates' court recoveries

4.7.2 agency collections

4.7.3 school fees (governing body) recoveries

4.7.4 levy collections (bodies corporate and homeowners' associations)

4.7.5 bond foreclosures and overdraft recoveries

4.8 Matrimonial and Family Law

This department focuses on:-

4.8.1 antenuptial contracts

4.8.2 divorce proceedings

4.8.3 maintenance advice and recoveries

4.8.4 domestic violence

4.8.5 custody issues

4.8.6 co-habitation agreements



4.8.7 universal partnerships

4.8.8 post-divorce disputes

4.8.9 international abductions

4.9 Labour Law

The specialist services attended to by this department include:-

4.9.1 representing clients at the CCMA and bargaining councils in disputes relating to unfair labour practices and unfair dismissals

4.9.2 representing clients at the Labour Court

4.9.3 interdicting and restraining employees in unprotected strikes or participating in unlawful conduct during protected strikes

4.9.4 advising on strike management, lock-outs and picketing

4.9.5 chairing or representing clients at disciplinary hearings

4.9.6 drafting employment contracts, disciplinary codes and social media policies

4.9.7 providing legal opinions

4.9.8 engaging in settlement negotiations

4.10 Administration of Deceased Estates and Estate and Financial Planning

This department deals with:-

4.10.1 administration of deceased estates

4.10.2 drawing of wills and deeds of trust

4.10.3 tax and estate planning



4.10.4 administration and investment of personal funds

4.11 Town Planning, Construction and Building Law

This department's expertise includes:-

4.11.1 advising on town planning issues, appeals and dispute resolution

4.11.2 advising on the Spatial Planning and Land Use Management Act

4.11.3 advising on the Joint Building Contracts Committee documents

4.11.4 representing principal agents, developers and property owners in construction, engineering and building plan disputes

4.11.5 reviewing applications relating to the approval process under the Promotion of Administrative Justice Act

4.12 Environmental Law and Land Claims and Restitution of Land Rights

This department provides the following services:-

4.12.1 advising on environmental legislation including the National Environmental Management Act, the Waste Management Act, the Air Quality Act and the Integrated Coastal Management Act

4.12.2 restitution claims

4.12.3 labour tenancy issues

4.12.4 the Extension of Security of Tenure Act disputes

4.13 Project Finance

The areas of competence in this division include:-



4.13.1 drafting, reviewing, amending and advisory services relating to project finance lending agreements and supporting security documentation

4.13.2 drafting, amending, negotiating and settling loan agreements and security documentation

4.13.3 reviewing and providing opinions relating to project documents

4.13.4 perfecting securities.

5 DIRECTORS, ASSOCIATES & CONSULTANTS

We have 18 qualified professionals at LLI. We set out a brief summary of some of the competencies, experience and exposure of our directors, associates and consultants.

5.1 Craig Anderson (B.A., LL.B.) Director

5.1.1 Craig has practised as an attorney for more than 30 years. He specialises in Magistrate's Court litigation and manages the firm's recoveries department.

5.1.2 As a former lecturer at the Practical Legal Training School, Craig shared his wealth of experience and knowledge of procedures with university graduates who were preparing for their admission to the legal profession.

5.2 Charne Goosen (LL.B., LL.M. Environmental Law) Director

Charne joined the firm as an associate on 01 January 2018 in the property department. Charne is an admitted attorney, conveyancer and notary public. She attends to a wide range of property matters, including residential- and deceased estate transfers, sectional title developments and residential- and commercial bonds.

5.3 Anisa Govender (BA, LL.B., LL.M.) Director

5.3.1 Anisa has over 19 years' experience and has practised as a partner, director and associate in a number of prominent Durban law firms. She has extensive experience in several aspects of shipping law, particularly ship arrests, admiralty litigation,



emergency marine casualty response, ship finance, regulatory and general admiralty advice, as well as ship and cargo sale and purchase.

5.3.2 Anisa is a member of the Maritime Law Association, of which she is the past secretary, the Durban Marine Insurance Forum, the South African Maritime Professionals Forum and an associate member of the Institute of Chartered Ship Brokers. She previously served as the representative of the Maritime Law Association on the eThekweni Maritime Cluster and is currently the vice chairman of the Maritime Law Association (Durban Chapter)

5.3.3 Anisa is a regular contributor to the Sunday Tribune on shipping related issues and is an external examiner for the University of KwaZulu-Natal's Shipping Law Unit.

5.4 Barry Lewis (B.A., LL.B.) Director

5.4.1 Barry is an attorney, notary and conveyancer in LLI's property law and conveyancing department and is widely respected for his thorough knowledge of property law matters accumulated over 35 years in practice. He has extensive experience in township establishments and developments.

5.4.2 Barry lectured conveyancing for the Law Society of South Africa for a number of years.

5.5 Subashnee Moodley (B.A., LL.B.) Managing Director

5.5.1 Subashnee is an attorney, notary and conveyancer in the Property department and is the current Managing Director of LLI. She attends to a wide variety of property related matters which includes residential, commercial and notarial bonds for the various banking institutions.

5.5.2 Subashnee's practice also involves the opening of sectional title registers, sale in execution transfers, general transfers, share block matters and drafting of a wide variety of agreements.



5.6 Nqobile Ngcongo (nee Mthiyane) (LL.B.) Director

Nqobile graduated with an LL.B. from the University of KwaZulu Natal and is a specialist in our litigation department focusing on personal injury. Nqobile has specialist skills in civil litigation in the Lower and High Courts.

5.7 Kay Naidoo (B.Proc.) Director

5.7.1 Kay has in excess of 30 years' experience in administrative law, property and construction law and commercial litigation, having represented clients in high profile cases before High Courts, the Land Claims Court, the Supreme Court of Appeal and the Constitutional Court.

5.7.2 He is nationally acknowledged as an expert in town planning and environmental law, relating in particular to municipal implementation of zoning and town planning regulations and the National Building Act. He has advised clients on dispute resolution pertaining to high value commercial contracts, corporate disputes and insolvencies.

5.7.3 Kay is a registered liquidator with the Master of the High Court and is a member of the Environmental Lawyers Association and the Society of Construction Law Africa.

5.7.4 Kay is a commissioner in the Durban Small Claims Court, which is a voluntary and unpaid service to the community. He previously lectured to candidate attorneys at the Practical Legal Training School in liquidation and court craft.

5.8 Michael Nolan (B Proc., Post Graduate Diploma in Financial Planning) Director

Mike has over 35 years' experience as an attorney, notary and conveyancer and specialises in commercial law, property law, wills, trusts and estate planning. He spent several years in Mauritius as In-house Legal Counsel to a German financial services company and gained experience in offshore structuring and finance, cross-border transactions and international law.



5.9 Naomi Williams (LL.B.) Director

- 5.9.1 Naomi has been practising as an attorney for more than 15 years. She heads the Road Accident Fund Department, is a member of the litigation department and is an accredited mediator. Naomi has completed the Accelerated Course for Advocates and Attorneys offered by the Association of Arbitrators, South Africa.
- 5.9.2 Naomi is a F.A. Arb - Fellow of the Association of Arbitrators [2018]
- 5.9.3 Naomi has extensive experience in high value civil and commercial litigation, including personal injury actions and insurance law. She is also an admitted conveyancer.
- 5.9.4 Naomi lectures on personal injury law at the Practical Legal Training School and is also a member of the committee reviewing and amending the content and notes of the personal injury law coursework.

5.10 George Yarker (B.Comm., LL.B., Diploma in Maritime Law) Director

- 5.10.1 George is an admitted attorney, notary and conveyancer with over 35 years' experience in property law and practice, who has developed specialised skills in sectional title and township development. He has been instrumental in developing successful structures for many developers of major residential and commercial developments.
- 5.10.2 George also engages in estate planning and deceased estate administration on behalf of LLI's clients.

5.11 Azia Ashleigh Adande (LL.B.) Associate

- 5.11.1 Azia graduated with an LL.B. from the University of Free State and is currently completing her LL.M. in Labour Studies at University of Kwa-Zulu Natal. She is an associate in our Estates Department dealing with the administration of estates involved in the drafting of wills, the administration of deceased estates and assisting with the registering of trusts.



5.12 Mohamed Mota (LL.B., LL.M.) Senior Associate

5.12.1 Mohamed is an associate in our litigation and dispute-resolution department, specialising in public law disputes in court, arbitration, appeal and tribunal proceedings pertaining to administrative law, public procurement processes, energy law, environmental law and town-planning related issues.

5.12.2 Mohamed has experience advising clients from both the public and private sectors on all stages of decision making, from initial policy development through to judicial review challenges. He has further experience in contentious and advisory matters acting for national companies, public bodies and regulators.

5.12.3 Mohamed has exposure to commercial and property related matters such as lease disputes, providing advice to property developers, body corporates and homeowners' associations, enforcing restraints of trade agreements and preventing unlawful competition as well as advising and embarking upon specialised debt recovery proceedings in terms of insolvency and company laws.

5.13 Kavashini Naicker (LL.B.) Senior Associate

Kavashini graduated from the University of KwaZulu-Natal with an LL.B. degree in 2004. She is an admitted attorney and conveyancer. She prosecuted at the Specialised Commercial Crime Unit under the Fraud Investigation Task Team. She is an associate in our property department. She attends to property transfers, including conventional transfers and estate transfers.

5.14 Nikkita Nair (LL.B.) Associate

Nikkita graduated with an LL.B from the University of KwaZulu-Natal in 2017. She completed her articles of clerkship at a reputable Durban law firm before joining LLI. Nikkita is an Associate in our Commercial Law department and deals with a wide range of commercial and corporate transactions.



5.15 Nicholene Tersia Naidoo (LL.B.) Associate

Nicholene graduated with an LL.B. from the University of KwaZulu- Natal. She completed her Articles of Clerkship in 2020 and was admitted as an attorney on 13 February 2021. Nicholene is an Associate in our Maritime and POPI Compliance Departments and has experience working on litigation matters in both the High Court and Magistrates Court and drafting and reviewing policies and reports.

5.16 Kriska Sanlaville (LL.B.) Associate

Kriska graduated with an LL.B. degree from the University of South Africa in 2015 and has Certificates in Bookkeeping and Contract Law from Varsity College. Kriska is an Associate in our Trusts, Estates and Financial Planning department and deals with a wide range of matters.

5.17 Lance Coubrough (B.Comm. LL.B., PG Dip. Tax) Executive Consultant

5.17.1 Lance has more than 40 years' experience in practice and has developed specialist skills in commercial and corporate law, including taxation law and competition commission issues.

5.17.2 He is fully conversant with the Companies Act and assists clients with drafting, amending and advising on Memoranda of Incorporation, Shareholders' Agreements and company law compliance.

5.18 Greg Paola (B.A., LL.B.) Consultant

Greg has been practising as an attorney for more than 40 years. Greg was a Director in LLI's property and conveyancing department for many years, during which time he was instrumental in the establishment of the La Lucia Ridge office. Greg is now a Consultant to LLI.



5.19 Anja Schramm (LL.B.) Consultant

Anja is an attorney who specialises in family law, particularly matrimonial cases, maintenance, domestic violence, child custody matters, universal partnerships and antenuptial contracts. She completed her LLB degree at Rhodes University and, since her admission, has worked exclusively as a family law practitioner.

6 STAFFING

LLI is staffed as follows:-

- 6.1 Directors: 10
- 6.2 Consultants: 3
- 6.3 Associates: 6
- 6.4 Candidate Attorneys: 4
- 6.5 Secretarial and Support Staff: 21

7 AWARDS

- 7.1 From 2010 to 2020, LLI was awarded the Diamond, Gold, Silver and Bronze Arrow Awards at PMR Africa's award ceremonies, following an assessment of legal firms with a turnover of less than R50 million.
- 7.2 The assessment involves a survey of respondents comprising of in-house advisers, MDs, CEOs, Financial Directors, Company Secretaries and Senior Management of client firms, and their perception of the firm in the light of factors such as.

~oOo~

