
COMPANY PROFILE

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MOSTERT & BOSMAN

ATTORNEYS | TRUSTED ADVICE BY COMMITTED PEOPLE



BACKGROUND & APPROACH

It all started in the year 1893, when Mostert & Bosman was established in Cape Town. Since then Mostert & Bosman has become a well-known name in the legal fraternity. In 1993, under the leadership of well-known and respected attorney Etienne Coetzee, the ownership and control of the firm was transferred to the current partnership. Under the leadership of this new, dynamic and highly motivated team, the firm rapidly expanded to a well-established and integrated company, providing trusted legal advice to a wide client base.

Operating as an independent Western Cape based firm with a legacy spanning 125 years, Mostert & Bosman boasts an extensive network and has crafted lasting relationships in both the business world and legal profession. Our operating capabilities and services extend across South Africa through our network of correspondents with whom we have developed excellent relationships over many years. We regard them as our external partners and an extension of our firm.

Mostert & Bosman prides itself in its ability to offer personal and powerful solutions to a wide range of clients, from private individuals to large corporates and public authorities. We offer legal services with the perfect blend of traditional values and modern thinking, underpinning our reputation for services delivered effectively, timeously and at a cost effective rate. In addition to this, we are known for our personal touch, accessibility, flexibility and trusted advice. Our approach of engaging matters entrusted to us has always been one of consultation, as we view our role not only as attorneys, but also as trusted advisors adding value wherever possible.

SERVICES

We practice on the basis of sharing our expertise amongst our different departments, ensuring the integration of our combined experience and knowledge. As a result, our clients receive a comprehensive and effective service.

Our fields of expertise can be grouped into four main areas, namely:

1. Property Law,
2. Contract and Commercial Law,
3. Estate and Family Law and
4. Litigation and Labour Law.

PROPERTY LAW

We offer a range of expert services in all spheres of conveyancing, working with major developers, major financial institutions and various estate agents.

In the Property and Conveyancing Department we utilise, inter alia, the Ghost Convey-, Ghost Management- and Ghost Partner Systems, which can be adapted to clients' specific requirements.

These programmes provide direct access to a client's matter, enabling us to offer up-to-date reporting to any client at any given time. The systems also provide parameters in respect of each professional staff member, which enables management to monitor productivity and enhance efficiency.

Amongst the services we offer are:

- Drafting Agreements of Sale
- Commercial/Residential Property Transfers
- Commercial/Residential/Retirement Developments
- Transfer from Deceased Estates
- Conventional and Sectional Title Schemes
- Township Registrations
- Land Consolidations and Subdivisions
(including Agricultural Land)
- Mortgage Bond Registrations
- Notarial Mortgage Bond Registrations
- Cancellation of Mortgage Bonds
- Cancellation of Notarial Mortgage Bonds
- Private and Third Party Bonds
- All Notarial Contracts

CONTRACT AND COMMERCIAL LAW

Our highly qualified attorneys and years of experience enable us to offer specialised advice and assistance in the following areas:

- Negotiating Corporate, Commercial and Property Transactions
- Drafting of Corporate, Commercial and Property Agreements
- Drafting of Shareholder Agreements and Memorandums of Incorporation
- Partnerships Agreements
- Franchise Agreements
- Purchase and Sale Agreements in respect of Shares and Members Interest
- Transfer of Shares and Members Interest in Close Corporations
- Sale of Business Agreements
- Formation, Registration and Amendments of Trusts
- Drafting of notarial and non-notarial leases
- Cessions
- Joint Ventures
- Assisting in tax related matters
- Advice on JSE/ALTX listings
- Securities
- Private Equity
- Financial Services: Board and Ombudsman
- Due-diligence compliance
- Pension Fund Law

ESTATE AND FAMILY LAW

Detailed attention is given to both the sensitive nature and extreme stress which clients are exposed to when dealing with estate and family related matters. From the drafting of an antenuptial contract, assisting a client in estate planning, forming and registering a trust, drafting a will, assisting a client in a divorce, assisting a client with the death of a loved one and assisting in the winding up of an estate, we realise that we are dealing with people. We therefore always remain sensitive and mindful of the personal nature of this kind of work, focusing on the person and not only the task at hand.

We offer a range of services which include:

- Drafting of Antenuptial and Post Nuptial Agreements
- Estate and Tax Planning
- Drafting of Last Wills and Testaments
- Drafting of Living Wills
- Formation, Registration and Amendments of Trusts
- Assisting in the winding up of Deceased Estates
- Curatorship Applications and Appointments
- Family Law Litigation
- Maintenance Applications
- Protection Orders
- Divorces
- Domestic Violence Proceedings
- Child relocation (post-divorce)
- Negotiating Settlement Agreements in Divorce matters
- Custody of and Access to Children
- Cohabitation Agreements

LITIGATION AND LABOUR LAW

Our litigation department is truly one of our flagship departments. We pride ourselves in our expertise and years of experience, litigating on behalf of our extensive and diversified client base, including individuals and corporates in the High Courts, Magistrate's Courts and in Arbitration/Mediation.

In the Litigation and Collections Departments we utilise, inter alia, the AJS Collection System which incorporates Crystal Reports, and we have access to ITC Credit Enquiries via the E-Property Program. Due to the specific requirements of larger collection clients, we have, in association with these clients, adapted custom designed computer software, internet-based work programmes and reporting systems which enable clients to have direct access to each matter handled by our firm on their behalf. These systems also provide pre-set parameters in respect of work flow and individual reporting, which enhances productivity and efficiency.

Our Labour Law Department is well established with an extensive client base, including a number of large corporates. Our Labour Law specialists are very passionate about their work and strongly believe that it is better to assist a client pro-actively in order to prevent Labour Law disputes, rather than having to deal with the protracted and often costly consequences of a legal battle.

We can assist clients effectively, timeously and cost effectively in matters relating to:

- Sequestrations
- Liquidations
- Rehabilitations
- Business Rescue
- Commercial & Banking Litigation
- Property Related Litigation
- Administrative Law Litigation
- Constitutional Law Litigation
- Environmental Law Litigation
- All general Magistrate and High Court litigation
- Construction & Building Disputes
- Labour and Employment Law
- Alternative Dispute Resolution
- Arbitration
- Collections
- Evictions (Urban and Rural)
- Sectional Title Disputes
- Criminal Law
- Medical Malpractice (on a referral basis)
- Personal injury claims (on a referral basis)

OUR RESOLVE AND PLEDGE

With dedicated management and partners who are highly experienced in the various sectors within which we practice, Mostert & Bosman strive to maintain an understanding of the nature of our clients' business, transactions and endeavours to apply its experience to the benefit of our clients.

Our firm has an integrated IT system maintained by designated IT professionals. We regularly update our systems with the newest available conveyancing-, litigation- and collection technology, enabling compliance with all our client's specific requirements and ensuring quick and effective service.

At Mostert & Bosman we approach our work with vigour and enthusiasm, and we strive to deliver a friendly, professional and quality service.

Our service is supported by the following resolutions:

- To be completely client orientated, without any prejudice or discrimination;
- To apply our professional knowledge, expertise, insight and experience to the benefit of the client;
- To conclude every individual matter as thoroughly, speedily and cost-effectively as possible and to the full satisfaction of the client;
- To gain our client's trust and to confirm our credibility, reliability, empathy and commitment to them;
- To strengthen the relationship with our corporate and individual clients.

It is this unique mix of energy and responsiveness that attracts clients to us and which enables us to maintain trusted relationships with our clients.





OUR UNDERLYING SUPPORT SYSTEMS

Our firm has an integrated IT system maintained by designated IT professionals. We regularly update our IT systems with the latest conveyancing-, litigation- and collection technology, ensuring compliance with all our clients' specific requirements and ensuring quick and effective service.

We also have an extensive and up-to-date legal library, which includes all the authoritative legal publications in our respective fields, as well as access to a vast amount of online legal resources through Lexis Nexis.

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ("B-BBEE")

Mostert & Bosman recognises the responsibility to redress past discriminatory treatment of disadvantaged groups and to establish an environment by way of a structured process where employment equity prevails.

Every effort is therefore made to ensure that we have a representative workforce through transparent and balanced processes. We focus on the identification of human potential and the development thereof, through performance- and career management, which includes formal training and mentorship practices.

We recognise that B-BBEE is an ongoing process and embrace the objectives in accordance with the Codes of Good Practice. Our commitment to B-BBEE is non-negotiable and well-established within our firm.

Mostert & Bosman has implemented positive strategies and business principals to implement our aforesaid policy and constantly strive to improve our compliance with Government's and our own B-BBEE vision.

Our current B-BBEE certificate reflects that we are a B-BBEE certified and compliant institution and our Value-Added Supplier status have been audited and confirmed.

SOCIAL RESPONSIBILITY

Mostert & Bosman firmly believes in supporting community projects and is actively involved in a number of social upliftment programmes. We are proud of our association with Shiloh Synergy NPC (www.shiloh.org.za), Philani Training and Development Solutions NPC (www.philani.co.za), Edu-Play (www.edu-play.co.za), various schools, Living Ball (www.livingball.co.za), Living Network Crisis Centre (www.livingnetwork.org.za) and the fact that we are able to sponsor a number of previously disadvantaged individuals.

We have assisted Shiloh Synergy NPC, which is a group of projects committed to the holistic upliftment of underprivileged communities in the Western Cape, to build two new crèches in Wallacedene - Kraaifontein, an area well-known for its poverty and socio-economic challenges. We also support these schools financially on a monthly basis. It is enormously rewarding to witness the positive results and changes in the lives of hundreds of underprivileged children, as well as the community at large, resulting from these very special programmes.

Lee-Anne Ely, one of our partners, is currently the chairperson of Philani Training and Development Solutions NPC, which aims to provide high quality training and development programmes to farm workers especially, ensuring the transfer of valuable skills and contributing to sustainable economic growth and job creation. Mostert & Bosman also sponsors learnerships of individual farm workers in the Western Cape on an annual basis, the success of which is confirmed by a number of major role-players in the agricultural sector.



Herman Botes (B. PROC.) Partner: Attorney
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Herman is a senior partner in the litigation department. He has extensive, in-depth knowledge and understanding of Commercial, Company and Insolvency Law and has gained over 20 years of invaluable experience litigating throughout South Africa.

After graduating from the University of the Orange Free State and completing his articles in Bloemfontein, he was admitted as an Attorney in 1996 and joined Mostert & Bosman the following year. Herman firmly maintains that there are no short-cuts to success and that preparation is key.

He enjoys watching sport and is a proud father of two. When he is not working, he is either on the sports field supporting his children or enjoying a glass of red wine.



Riaan Kunz (BA. / LL.B.) Partner: Attorney / Conveyancer
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Riaan grew up in Heidelberg (Southern Cape) and matriculated from Paarl Boys High. After graduating from the University of Stellenbosch in 1996, he started his career at Mostert & Bosman as a Candidate Attorney.

He was admitted as an Attorney in 1999 and as a Conveyancer in 2003. He subsequently worked his way through the ranks to become a partner in the property and conveyancing department, specialising in Conveyancing, Residential and Commercial Developments and Structured Commercial Transactions.

Riaan works with numerous corporate clients and believes that providing and maintaining an unwavering standard of service is of the utmost importance.

He leads an active lifestyle and particularly enjoys running, cycling and swimming. Riaan has competed in the Ironman Triathlon twice and the Comrades Marathon thrice. He is also a proud and supportive husband and father.



Pierre du Toit (B.luris / LL.B. / Dip. Tax Prac.) Partner: Attorney
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Pierre is a senior partner in the litigation department, specialising in Commercial-, Insolvency- and Divorce litigation. He has comprehensive knowledge and experience of all aspects of litigation and has been involved in a number of high profile insolvency cases.

He grew up and attended school in the Karoo town of Burgersdorp in the North Eastern Cape. He was conferred with a B.luris degree (1993) and an LL.B. degree (1995) by the University of the Orange Free State, and further obtained a Diploma in Tax Law in 2000. He completed his articles at Symington & De Kock in Bloemfontein and was admitted as an Attorney in 1996.

Pierre is a family man and enjoys quality time with his wife and two children. They love travelling, camping and water sports, particularly sailing. He keeps fit by running (he has completed three Comrades Marathons), hiking and regularly working out at the gym.



Cloete Marais (B.Comm. / LL.B. / Dip. Tax Prac. / Diploma in Business Rescue) Partner: Attorney / Conveyancer / Notary Public
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After attending school in Beaufort West and graduating from the University of Stellenbosch in 1995, Cloete completed his articles at Honey & Partners in Bloemfontein in 1998. It was during this period, under the guidance of the late Dr. John Groenewald (who held a doctorate degree in contract law), that Cloete discovered his keen interest in negotiating, drafting and interpreting various commercial and other types of agreements.

Cloete's attention to detail and methodology are great assets in the fields of law that he practises, namely Conveyancing, Estate Planning, Tax Law (in which he holds a RAU accredited diploma) and Business Rescue (in which he holds a RAU accredited diploma). Apart from being a Conveyancer, he is also a Notary Public.

The commitment and drive that Cloete displays at work are also evident in his personal and family life. He is an avid cyclist and runner, having completed four Comrades Marathons. Cloete is a devoted husband and father to two girls and a boy and love spending time with them.



Richard Dixon (BA. / LL.B.)
Partner: Attorney
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Richard matriculated from DF Malan High School in 1992, whereafter he attended the University of Stellenbosch. After completing his articles at De Klerk and Van Gend Inc., he was admitted as an Attorney in 2002 and joined Mostert & Bosman the following year.

He is a partner in the litigation department and specialises in Corporate Collections, Employment and Labour Law, Litigation and alternative Dispute Resolution in respect of immovable property, including evictions, and Community Scheme disputes.

Richard is meticulous by nature and focusses on getting things right the first time. He is married with two daughters and enjoys outdoor sports like running, cycling and swimming.



Lee-Anne Orphelia Tracey-Jill Ely (B.Proc. / LL.B. / M.Iod.SA)
Partner: Attorney / Conveyancer
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Lee-Anne obtained her degrees at the University of the Western Cape, completed her articles at Mostert & Bosman and was admitted as an Attorney in 2001 and as a Conveyancer in 2006.

Her devotion to her work and professionalism led to her becoming a partner at Mostert & Bosman in 2007. She heads up the bonds department, which includes all the major banks as clients of Mostert & Bosman.

Lee-Anne prides herself on being a dedicated wife and mother of two girls. As a family, they enjoy travelling and leading a healthy and balanced lifestyle. Running is one of her passions and she enjoys half and full marathons. She feels strongly about giving back to the community and is currently the chairperson of Philani, a skills development non-profit organisation.



Morné Strydom (B.Proc.) Associate: Attorney
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Morné grew up in Somerset East and matriculated at Gill College. He attended the University of the Free State, where he obtained his B.Proc. degree.

After some overseas endeavours, he started his legal career at Mostert & Bosman as a Candidate Attorney. He was admitted as an Attorney in 2008 and retained as a Professional Assistant, after which he became an Associate.

Morné's drive, determination and strong will have all contributed to his success as a general and commercial litigator. He is married and the proud father of a daughter. He enjoys the outdoors, travelling and sport.



Melissa Colyn (B.Comm. Rat (Law), / LL.B. (Cum Laude))
Associate: Attorney / Conveyancer / Notary Public
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Melissa was born and raised in the small town of Despatch. She went on to attend Nelson Mandela Metropolitan University, from which she graduated cum laude in 2011.

After completing her articles at Mostert & Bosman, she was admitted as an Attorney in 2014, as a Conveyancer in 2015 and as a Notary Public in 2016. She is currently an Associate in the property and conveyancing department, specialising in Conveyancing, Conventional and Sectional Titles, Mortgage and Notarial Bonds, as well as the drafting of property agreements and antenuptial contracts.

Melissa enjoys playing tennis, dancing and camping. Her favourite pastime is relaxing on the beach at Paternoster in the company of her husband with a Deon Meyer novel.



Callie Lloyd (B.Comm. (Economics) / LL.B.)
Associate: Attorney / Conveyancer / Notary Public
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Callie joined Mostert & Bosman in 2015 as an Associate in the property and conveyancing department.

He was admitted as an Attorney and Conveyancer in 2015, and as a Notary Public in 2016. He specialises in Conveyancing, Mortgage Bond registrations and Notarial work.

When Callie is not at the office, he can be found spending time with his wife and Basset Hound. He also enjoys running and a round of golf with friends.



Johann Steyn (B.Comm. (Law) / LL.B.) Associate: Attorney
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After growing up in Kimberley and graduating from the University of the Free State, where he was awarded the title of Kovsie Dux in 2013, Johann relocated to the Western Cape and joined Mostert & Bosman as a Candidate Attorney in 2014. He was subsequently appointed as an Associate in 2016.

Johann is practicing in the litigation department, his areas of expertise being High Court and Magistrates' Court litigation, Family Law, Collections, Rental Disputes and Evictions. Johann is firmly committed to providing his clients with quality service and believes this should reflect down to the finest detail.

Some of his interests include outdoor activities, hunting and cycling. He values quality time with his wife, friends and family.



Deandra Seale (B.Comm. (Law) / LL.B.) Associate: Attorney
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Deandra graduated from the University of Stellenbosch in 2015 with B.Comm. (Law) and LL.B. degrees. She started her legal career at Mostert & Bosman and gained valuable experience under her principal, Richard Dixon. Due to her hard work and determination, she was appointed as an Associate in 2018. Her areas of practice include General Litigation, Labour Law and Corporate Collections.

Deandra is energetic and vibrant, and thrives on outdoor activities in her free time. She believes in balance in all areas of her life.



Michelle Birkenstock (B.Comm. (Law) / LL.B.) Associate: Attorney
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Michelle attended La Rochelle Girls High, where she was elected as Head Girl in 2008. After graduating from the University of Stellenbosch, she was appointed as a Candidate Attorney at Mostert & Bosman in 2016.

She is currently an Associate in the litigation department, practicing in the areas of Insolvency Law and Family Law. Michelle's calm, controlled and professional demeanour allows her to flourish under pressure.

Over and above her drive and dedication to her work, she is involved in community outreach programmes and enjoys long distance running, having completed numerous half marathons and a full marathon. She recently got married and adapted to wedded life seamlessly.



Jacky Wilkinson (B.Comm. (Law) / LL.B.) Associate: Attorney
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After obtaining her degrees from the University of Stellenbosch and commencing her legal career as a Candidate Attorney at Mostert & Bosman in 2016, Jacky was retained as an Associate after her admission as an Attorney in 2018.

Jacky is practicing in the litigation department in the areas of Commercial and Insolvency Law under the guidance of Herman Botes and is particularly passionate about researching and drafting. She is currently completing her Masters in Tax Law.

Jacky believes that her work is an extension of herself as well as of Mostert & Bosman and therefore takes extreme pride therein. She enjoys reading, running, cooking and wine tasting.



Elizabeth Stegmann (BA. / LL.B.) Associate: Attorney / Conveyancer
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Elizabeth obtained a Bachelor of Arts Degree in International Relations in 2012, and subsequently a post-graduate LL.B. degree from the University of Stellenbosch. She joined Mostert & Bosman in 2018 as an Associate in the Conveyancing Department.

Elizabeth is a people's person who believes in friendly and professional service, as well as dealing with matters efficiently and with integrity. She can usually be found on the beach with her dogs, or enjoying a glass of wine whilst cooking over the weekend.

LOCATION



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