

# Lucinde Rhoodie

Director



Lucinde Rhoodie has been a Director in our Dispute Resolution practice since 2005 and has vast experience in complex commercial litigation matters, Business Rescue, Restructuring and Insolvency, Companies Act litigation matters and disputes, Financial Markets and Market Abuse litigation, and Corporate Investigations.

## About Lucinde

### Credentials

#### Education

- BCom cum laude LLB cum laude, University of Stellenbosch
- Year of admission as an attorney: 2000

#### Memberships

- South African Restructuring and Insolvency Practitioners Association
- INSOL International

### Experience

- **Business Rescue, Restructuring and Insolvency matters**

A wide range of Business Rescue, Restructuring and Insolvency matters such as liquidation and sequestration applications, the running of insolvency enquiries and other insolvency related litigation including prosecuting claims on behalf of liquidators, setting aside dispositions and assisting creditors with submitting claims in insolvent estates, perfecting securities on behalf of creditors (cessions/general notarial bonds). She acts for both liquidators, creditors and commercial banks, both in regard to South African and cross border insolvency matters.

- **Forensic investigations**

Forensic investigations in liquidation and commercial dispute scenarios.

- **Banking litigation**

Banking litigation including but not limited to litigating on securitised debt for commercial banks including Standard Bank of South Africa, Capitec Bank Limited; Nedbank Private Wealth, HSBC and Deutsche Bank.

### Contact Lucinde

+27 (0)21 405 6080

[lucinde.rhodie@cdhlegal.com](mailto:lucinde.rhodie@cdhlegal.com)

[Lucinde on LinkedIn](#)

### Expertise

[Dispute Resolution](#)

[Business Rescue, Restructuring & Insolvency](#)

[The Companies Act](#)

[Corporate & White Collar Investigations](#)

[Agriculture, Aquaculture & Fishing](#)

[Healthcare & Pharmaceuticals](#)

### Location

Cape Town

### Language

English

Afrikaans

- **Company law disputes and litigation**

Company law disputes and litigation including shareholder disputes, director delinquency applications and shareholders' minority protection, acting for inter alia several listed companies in litigation and regulatory matters, including but not limited to, Stellar Capital Partners Limited, PetroSA, Distell Limited, Mediclinic Group, Redefine Limited, Brimstone Investments Limited, Leaf Property Fund Trust, African Unity Health, Remgro Limited, PSG Capital (Pty) Limited, Spier Group of Companies, Pioneer Foods Limited, Pearson Holdings Southern Africa (Pty) Limited, National Students Financial Aid Scheme, GlaxoSmithKline South Africa (Pty) Limited, Equites Property Fund Limited, BKB Limited commercial property disputes, acting for REIT's including Equites Property Fund Limited and Arrowgem Limited.

- **Financial Services and Regulatory advice**

Insider Trading and Market Abuse investigations and litigation representing corporate and listed as well as individual clients in FSCA interrogations and hearings relating to insider trading, price manipulation and market abuse matters.

- **NCA disputes**

NCA disputes and related litigation and disputes on sale and lease buy backs and reckless lending on behalf of consumers and commercial banks.

- **Consumer law**

Consumer law including franchise disputes (acting for both franchisors and franchisees) and Consumer Protection Act disputes.

## News

### [Collusion between debtor and creditor: Defence for a surety?](#)

Although a person standing as a surety for a principal debtor might appreciate and understand what it means to be a surety, it is without doubt that many hope that the suretyship will never be implemented. Therefore, when the day comes when the suretyship is called upon, it comes as no surprise that the surety will try any defence, no matter how remote, to free themselves from liability.

### [Vulnerability caused by compliance: Section 129\(7\) of the Companies Act 71 of 2008 and the risk of being wound up](#)

A lot has been said and written about directors' fiduciary duties and the pitfalls directors expose themselves to when making business decisions, almost daily. The circumstances which may lead a director to breaching their fiduciary duties are broad, and to determine whether a director actually breached their fiduciary duties often requires an extensive factuallenquiry.

### [Undoing what has been done: Setting aside transactions in terms of the Insolvency Act](#)

The Western Cape High Court recently illustrated that timing and the nature of a transaction are key when relying on section 26(1) of the Insolvency Act 24 of 1936 (Act) for the purpose of setting aside voidable dispositions.

### [Unpacking the urgency of urgent applications: Not just for the taking](#)

"The wheels of justice turn slowly." We have all heard this phrase at one point or another. It is not uncommon for a litigant to wait years before a hearing date for a matter is allocated. There are certain times, however, when there simply is not the luxury of time, and rights need to be protected as a matter of urgency. Our law recognises this, which is why it makes provision for urgent applications.

### [How 'appealing' is an automatic right of appeal to the next highest court](#)

An appeal involves an application to a higher court for the reversal of a decision of a lower court. For a court's decision to be suspended pending the outcome of an automatic appeal, it is important to know which court is competent to hear the appeal and overrule the current decision of the court, and which would thereby be known as the next highest court.

## Videos

## Navigating Business Rescue, Restructuring & Insolvency during COVID-19 | Part 2

Topics discussed included the impact of COVID-19 on South African economy, Directors' liability when trading in financially distressed or insolvent circumstances, current legislative amendments and regulations that have been put in place in South Africa (including the impact on general court proceedings) and case law update.

## Podcasts

### Balancing the scale of gender in dispute resolution and the legal sector

In episode two of our CDH Women Empowerment podcast series we speak with Lucinde Rhoodie, a Director in our Dispute Resolution practice. Lucinde delves into balancing the scale of gender in dispute resolution and the legal industry.

### The recent judgment of CNA and Others v Anglowealth Sharia (Pty) Ltd and Others

In this edition of CDH's Business Rescue, Restructuring and Insolvency sector's podcast series, Tobie Jordaan, Lucinde Rhoodie, Muwanwa Ramanyimi and Jessica Osmond are joined by senior Business Rescue Practitioner, Phahlani Mkhombo, of Genesis Corporate Solutions, to discuss the recent judgment of CNA and Others v Anglowealth Sharia (Pty) Ltd and Others, particularly considering the obligations placed on a BRP to notify affected parties of any court proceedings during a business rescue.

### Business rescue for the tourism industry

Lucinde Rhoodie, Director in our Dispute Resolution practice joined Channel Africa to discuss business rescue for the tourism industry, with the looming third wave of COVID-19. She elaborates on the pitfalls of the Tourism Equity Fund and cautions that some businesses need to consider business rescue.

### The stumbling blocks in the twilight zone

The recent Montic Dairy v Mazars judgment which was handed down last week has caused quite a stir in the insolvency sector.

[All news by Lucinde Rhoodie →](#)

## Recognition

- Chambers Global
  - Chambers Global 2023–2024 ranked Lucinde Rhoodie in band 4 for dispute resolution.
  - The Legal 500 EMEA 2021–2023 recommended her for dispute resolution.
  - Lucinde was listed in the Legal 500 Private Practice Arbitration Powerlist: Africa 2023.