

Claudia Moser

Associate



Claudia Moser is an Associate in our Dispute Resolution practice. She has experience in construction, administrative and public Law, mining law, evictions, business rescue and insolvency, commercial litigation and alternative dispute resolution infrastructure.

About Claudia

Claudia joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2021. She completed her practical vocational training contract whilst serving in CDH's Dispute Resolution and Corporate & Commercial (Private Equity) Practice.

She was appointed as an Associate in the Dispute Resolution practice in 2023 and admitted as an Attorney of the High Court of South Africa in the same year.

Credentials

Education

- BA (English Language and Literature, and History), University of Cape Town
- LLB (cum laude), University of Cape Town
- Year of Admission as an Attorney of the High Court of South Africa: February 2023

Experience

• Registering criminal cases

Advise and assist clients with registering criminal cases as well as fulfilling their reporting obligations in terms of section 34 of the Prevention and Combating of Corrupt Activities Act No 12 of 2004.

• National Health Laboratory Services

Advising the National Health Laboratory Services in dispute resolution matters.

• Review Applications

Assists with a number of Review Applications on behalf of both South African corporates as well as Parastatals/State Owned Entities.

• Evictions proceedings

Extensive experience in the institution of both residential and commercial evictions proceedings.

Contact Claudia

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[Claudia on LinkedIn](#)

Expertise

[Dispute Resolution](#)

[Corporate Debt, Turnaround & Restructuring](#)

[Construction & Engineering](#)

Location

Cape Town

Language

English



- **Insurer**

Represented Insurer in subrogated third party recovery claim following fire event at the Mitchells Plain hospital.

- **Solar energy**

Represented leading Norway-based global independent solar energy provider in disputes involving the contractor and sub-contractors in a Solar PV project.

- **Advising mining houses**

Experience in acting for and advising mining houses in South Africa in commercial litigation.

- **Shareholder disputes**

Experience in advising shareholders in shareholder disputes and valuation of shares.

News

["Calderbank offers" and their costs implications](#)

Without prejudice offers and tenders form an integral part of our litigation processes. Done correctly, they can leverage an early settlement and save parties significant inconvenience and costs. A "Calderbank offer" is a species of without prejudice offer that originates from the English Court of Appeal case of *Calderbank v Calderbank* 3 All ER 333 (CA) and has been accepted into South African law.

[Provisional sentence proceedings: A special procedure that can be used to immediately enforce a foreign judgment](#)

International contracts are contracts concluded between two parties situated in different countries. A jurisdictional clause in an international contract typically states which country's court will hear a dispute if one arises between the parties. The country's court that hears the matter and hands down judgment may not be where the adverse party is situated. The principle of national sovereignty means a state has supreme authority within its territory and, based on this principle, a judgment obtained in one country is not automatically enforceable in another.

[To institute or not to institute liquidation proceedings \(that is the question\)](#)

It is a well-established principle in our law that insolvency/liquidation proceedings are not meant to be used for the recovery of a debt – the courts regard this as an abuse of (legal) process. Rather, the purpose of insolvency proceedings, as per *Trengove AJ in Investec Bank Ltd and Another v Mutemeri and Another* (O9/22247) ZAGPJHC 64 is "to bring about a convergence of the claims in an insolvent estate to ensure that it is wound up in an orderly fashion and that creditors are treated equally".

[Appealing or Rescinding? That is the question when dealing with judgments granted against a person without their knowledge](#)

The Uniform Rules of Court direct that any document initiating legal proceedings must be served by the Sheriff of the High Court on a defendant/respondent. The purpose of this rule is to bring to the attention of the defendant/respondent that legal proceedings have been brought against them. The Uniform Rules of Court, however, do not always require the document instituting the legal proceedings to be personally served on the defendant/respondent. This can lead to a situation where judgment is granted against a person without their knowledge.

[Ignore sequestration proceedings at your peril](#)

Parties who agree to be personally liable for a debt, for example by way of signing a suretyship or a guarantee, should take heed of the potentially dire consequences for them if they choose to ignore subsequent sequestration proceedings against them. In the recent case of *Eamon Courtney v Izak Johannes Boshoff NO and Others* (483/2023) ZASCA 104, the Supreme Court of Appeal (SCA) dealt with the consequences facing a party should it not defend sequestration proceedings, despite such proceedings being procedurally flawed.

[All news by Claudia Moser →](#)

Recognition

- The Legal 500 EMEA 2025 recommended Claudia for construction.