



## Tobie Jordaan

### Director, Sector Head

Tobie Jordaan is a Director in our Dispute Resolution practice and Head of our Business Rescue, Restructuring & Insolvency sector. He focuses mainly on business rescue, business restructuring, insolvency and corporate recovery.

With a sound knowledge and ever-deepening pool of experience in business rescue, liquidation and insolvency law, Tobie is regularly instructed to represent business rescue practitioners, secured and unsecured creditors as well as investors acquiring assets from entities in business rescue, liquidators, trustees, curators, major banks, financial institutions and corporate entities.

Since his admission as an attorney, he has practiced exclusively as a business rescue and insolvency attorney. His strengths include his pragmatic and straight-up advice.

Tobie's experience covers a broad range of industry sectors, which include energy, mining and commodities, retail, telecommunications and agriculture.

### Practice areas


Dispute Resolution

### Sectors

Business Rescue, Restructuring & Insolvency  
Agriculture, Aquaculture & Fishing

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### Career

Tobie joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2009. He was appointed as an Associate in 2011 and was promoted to Senior Associate in 2013. Tobie was promoted to Director in 2016.

### Experience

- Assisting business rescue practitioners in business rescue proceedings.
- Advising creditors on opposing business rescue proceedings.
- Representing secured and unsecured creditors in business rescue proceedings.
- Advising business rescue practitioners and/or potential investors on the disposal of distressed assets as mandated by creditors through an adopted business rescue plan.



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- Drafting post-commencement finance agreements.
- Drafting of liquidation and sequestration applications and litigation arising from the liquidation of companies.
- Drafting of applications for the extension of liquidators' powers.
- Formal enquires into the affairs of companies in liquidation
- Section 155 compromises
- Formal and informal distressed restructuring
- Debt recovery and restructuring
- Enforcement of securities
- General commercial litigation

### **Representative Experience**

- Representing the Land and Agricultural Development Bank of South Africa in a matter pertaining to the contested recovery of distressed debts totaling R250m and enforcing available securities relating to a farming operation in the North West Province.
- Representing a BBBEE investment partner focused primarily in the energy sector in the liquidation of a construction company in the Eastern Cape. The shareholding of the construction company was acquired through a business rescue process.
- Representing ABSA and Standard Bank in various business rescue and insolvency matters.
- Acting for the business rescue practitioners of Silver Lake Trading 447 (Pty) Ltd. Silver Lake is a major coal mining company conducting its operations in Ermelo, Mpumalanga.
- Representing an investor in the acquisition of distressed assets and business operations of certain motor vehicle dealerships which were placed under business rescue.
- Representing a leading South African based Private Equity Fund Manager on a potential acquisition of the ongoing business of a branded cosmetics and household production company which was placed under business rescue.
- Representing the liquidators of Marico Chrome Corporation (Pty) Ltd (in provisional liquidation) in negotiating and concluding a mining contractor agreement as well as the disposal of the mining operations and mining equipment.
- Representing a major creditor in respect of a contested recovery in the business rescue proceedings of Evraz Highveld Steel and Vanadium.

### **Market Recognition**

- Chambers Global 2022-2023 ranked Tobie Band 4 in Restructuring/Insolvency. In 2020 & 2021 he was ranked as 'Up and Coming' in Restructuring/Insolvency.



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## Education

- BComm (Law), University of Stellenbosch
- LLB, University of Stellenbosch
- Advanced Diploma in Insolvency Law, University of Pretoria *cum laude*
- Year of admission as an attorney: 2011
- Registered with the Legal Practice Council

## Memberships

- SARIPA (South African Restructuring and Insolvency Practitioners Associations)
- Executive Committee of the SARIPA Young Bloods
- Insol International

## Languages

English



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