

*“Legal Solutions that  
make Business Sense”*

tnk

**ATTORNEYS & CONVEYANCERS**

[www.tnklaw.co.za](http://www.tnklaw.co.za)

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## EXECUTIVE SUMMARY

TNK Attorneys is a wholly black-owned law firm situated in Cape Town, with sub-offices serving different communities of clients. In its current form it comprises of a merger, confirmed in June 2014, between two practices namely Turner & Associates Attorneys and Kirsten Attorneys, both of which was established around 1999. TNK Attorneys recently merged with Fazloodien Abrahams & Associates Attorneys establishing a presence in Mitchells Plain. In addition, it has included in its leadership three other senior attorneys who have been in legal practice and senior management in government institutions respectively. Two employees who have commenced employment as associates are currently also Directors.

TNK Attorneys aspires to be a stand-alone black firm that will gain the confidence and respect of large corporates and government entities by providing it with a high standard public and commercial law and litigation services rivalling the existing large law firms in South Africa. All its partners and directors are from designated groups. It has grown from single practitioner practices to a law firm comprising 17 attorneys with varying specialities. In addition, candidate attorneys and paralegals provide added capacity to the firm.

TNK's public law department, is particularly active in the provincial and local government consulting and litigation arena where it assists government, inter alia, with regulatory drafting and compliance and administrative law disputes, most notably in relation to public procurement and labour litigation.

TNK Attorneys provide a full range of labour law services to business and government and is active in the employment law arena. Its employment law clients include Armscor, the SA Board of Sheriffs and the City of Cape Town Metro Municipality, where it is engaged in disciplinary hearings, bargaining council arbitration and Labour Court litigation. Employment Law services also include education and training in disciplinary processes and trial advocacy, investigation and chairing of disciplinary hearings as well as the development of workplace policies.

At TNK Attorneys we believe also that legal solutions must be provided in the context of the business and operational environment of the client in order to make it a useful instrument.

Our billing practices are based on fairness and transparency. Clients are only billed for legal services which are necessary to achieve the most expedient solution. Our rates are negotiable although we are confident that our rates are generally well-below that billed by larger law firms although our services easily rival or exceed those provided by larger corporate firms.

# COMPANY INFORMATION

## BACKGROUND

TNK Attorneys is a partnership of six senior attorneys who are all from designated groups. It offers a wide range of everyday legal services to individuals, commercial law services to businesses and public and administrative law services to state institutions and businesses. It also draws on a wide network of legal and business expertise other than those offered in-house.

Its main office is in Claremont in Cape Town and it also has offices in Wynberg, Mitchells Plain and Somerset West and a satellite office in Kimberley which it shares with another law firm. In its current form it comprises of a merger between two practices namely Turner & Associates Attorneys and Kirsten Attorneys, both of which was established around 1999 and a recent merger with Fazloodien Abrahams & Associates. In addition, it has included in its leadership three other senior attorneys who have been in legal practice and senior management in government institutions respectively.

TNK Attorneys currently employs 15 attorneys with varying specialities. In addition, candidate attorneys and paralegals provide added capacity to the firm. TNK Attorneys is committed to increasing its knowledge and skills in commercial law and to this end funds the continuing legal education in public law, commercial law and labour law for all its attorneys. It also actively seeks mentorship initiatives for its attorneys in government and business institutions.

We have strong links to various communities through our participation in community structures, churches and sporting bodies which we assist on a pro bono basis. We believe firmly in the purpose of these bodies and its power to uplift communities. To this end we are active financial sponsors junior football development initiatives and readily support community-based NPOs and faith-based organisations.

# COMPANY ORGANOGRAM, EE DESIGNATION & AREAS OF EXPERTISE

## PARTNERS/DIRECTORS



**BRANDELL TURNER**

COLOURED MALE  
PUBLIC & ADMIN LAW  
COMMERCIAL LAW

Brandell Turner holds a BA (Law) and LLB degree from the University of the Western Cape in Cape Town and is a partner and Managing Director at TNK Attorneys. Brandell has been admitted to practice law in 1996 and has a wealth of knowledge and experience in public and administrative law and commercial law. He presently acts as a consultant to various provincial and local government departments in administrative law litigation and has presided over several public sector disciplinary hearings. Brandell is also active in the football regulatory environment and assists various community football clubs at SAFA disciplinary tribunals.



**GCOBANI NTSHINGANA**

BLACK MALE  
PUBLIC & ADMIN LAW  
LABOUR EMPLOYMENT LAW

Gcobani Ntshingana is a partner and director at TNK Attorneys. He was admitted to practice law in 2000 and holds a Master's Degree in Labour Law. Gcobani has previously held senior management positions in government and the NGO sector and currently consults on labour and administrative law matters, primarily for state institutions.



**AADIL KIRSTEN**

INDIAN MALE  
CRIMINAL LAW

Aadil Kirsten is a partner and director at TNK Attorneys and heads up its Wynberg office. He holds a law degree from the University of Natal and has been practising law since 1997. He specialises in criminal law and has acted for clients in many high-profile matters, most notably as a member of the Green Peace legal defence team. Aadil lectures Criminal Law and Procedure on a part-time basis and was an active member of the Criminal Law Committee of the Cape of Good Hope Law Society.



**BRADLEY RAVENS**

COLOURED MALE  
FORENSIC INVESTIGATIONS

Bradley Ravens is partner and director at TNK Attorneys. He holds a Bachelor of Laws and a Master's degree in Development Finance. Bradley has 12 years' experience in Forensic Investigations, having previously worked at SARS, The Directorate: Special Operations (Scorpions), the Asset Forfeiture Unit and PricewaterhouseCoopers. Bradley heads the Forensics Department at TNK Attorneys and is responsible for the management of employment-related investigations, tender reviews, and compliance matters related to the Public Finance Management Act and the Municipal Finance Management Act. Bradley has a wealth of knowledge and experience in the investigation and prosecution of disciplinary offences, particularly in public sector workplaces.



**FAZLOODIEN ABRAHAMS**

COLOURED MALE  
PROPERTY LAW  
FAMILY LAW  
FORENSIC INVESTIGATIONS

Fazloodien Abrahams is a partner and director at TNK Attorneys and Conveyancers and heads up the Mitchells Plain office. He entered the legal profession during 2010 and was admitted to the degree of Bachelor of Laws (LLB) in 2014 with 10 x Distinctions achieved in various fields of law. He is an admitted Attorney with right of appearance in the High Court of South Africa Western Cape Division. He specialises in Property Law, Family Law, Commercial Law and Estates, Wills and Trusts. Fazloodien serves as the Chairman of the Small Business Development Committee at the Cape Chamber of Commerce, Marketing Director of the Mitchells Plain Chamber of Commerce and CEO of ATik International Trade and Commerce Co-operative. In addition, he holds the portfolio of Wills, Estates and Trust at the Southern Suburbs Attorneys Association.

## DIRECTORS

**JILL EAVES**

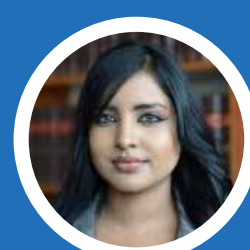
COLOURED FEMALE  
FAMILY LAW & LITIGATION  
LICENSING  
ESTATES

Is a Senior Associate at TNK Attorneys. She graduated from the University of the Western Cape in 2007 and was admitted to practice law in February 2011. She has extensive knowledge and experience in Family Law Litigation. She offers further legal services in the fields of Civil Law, Criminal Law, Administration of Estates and Liquor Law.

**DAVID VAN NIEKERK**

COLOURED MALE  
CONVEYANCING  
CIVIL LITIGATION  
COMMERCIAL LAW  
CONSUMER PROTECTION

Is a Director at TNK Attorneys and graduated with a LL.B degree from the University of the Western Cape in 2007. Since 2007, David has obtained a Certificate in Compliance Management from the University of Cape Town and a Certificate in Local and Provincial Government law from UNISA as well as obtaining his Certification to act as a practising Conveyancer. David has 8 years post articles experience. He specialises in Company Law, Contractual Law, Civil litigation in both the Magistrate's Court and High Court, Property Law, Corporate Governance and Sports Law. Additionally, David presently is the Chair of the Disciplinary Commission for the National Federation of Cycling in South Africa, CyclingSA and assists the firm in its services rendered to several municipalities including the City of Cape Town Municipality.

**KARUSHA LYER**

INDIAN FEMALE  
CIVIL LITIGATION  
FAMILY LAW  
COMMERCIAL LAW

Is a Director at TNK Attorneys Wynberg. She is the Head of the Civil Litigation and Commercial Law Department at our Wynberg Branch. She graduated with a LLB degree from the University of Kwa-Zulu Natal in 2009 and was admitted as an Attorney in 2012. Karusha specializes in all delictual claims against state entities and has recently won a landmark case securing a damages claim for a blind busker who was assaulted by police officials in Cape Town. Karusha further has extensive knowledge and experience in all aspects of family law and evictions.

## ASSOCIATE ATTORNEYS



**ALAYNA LEWENDAL**

COLOURED FEMALE  
CIVIL LITIGATION  
PUBLIC & ADMINISTRATIVE LAW



**JOCELYN HARMSE**

(SENIOR ASSOCIATE)  
COLOURED FEMALE  
PERSONAL INJURY LAW



**REZA SLAMANG**

COLOURED MALE  
LABOUR LAW  
DISPUTE RESOLUTION



**ASHLEIGH YOULE**

COLOURED FEMALE  
LABOUR LAW  
CRIMINAL LAW



**JANINE CARELSE**

COLOURED FEMALE  
LABOUR LAW & LITIGATION



**JAPHET NSINDANE**

BLACK MALE  
CRIMINAL LAW  
LABOUR LAW



**SONGEZWA LUKUKO**

BLACK FEMALE  
CIVIL LITIGATION



**LESHEA SEGERS**

COLOURED FEMALE  
CIVIL LITIGATION



**SHANE ANGELO KAYLOR**

COLOURED MALE  
FAMILY LAW  
ESTATES  
CIVIL LITIGATION

## CANDIDATE ATTORNEYS



**UMESH MAHABEER**

INDIAN MALE



**MICHAEL GELDERBLOEM**

COLOURED MALE



**THEA REINECKE**

COLOURED FEMALE

## PARALEGAL AND ADMINISTRATIVE SUPPORT



COLOURED MALE  
OFFICE MANAGER  
/PARALEGAL



COLOURED FEMALE  
PARALEGAL



COLOURED FEMALE  
PARALEGAL



COLOURED FEMALE  
PARALEGAL



BLACK FEMALE  
ADMIN ASSISTANT



BLACK FEMALE  
ADMIN ASSISTANT



COLOURED FEMALE  
ADMIN ASSISTANT  
/RECEPTIONIST



COLOURED FEMALE  
ADMIN ASSISTANT  
/RECEPTIONIST



COLOURED FEMALE  
PARALEGAL



COLOURED FEMALE  
PARALEGAL



COLOURED FEMALE  
ADMIN ASSISTANT/  
RECEPTIONIST



## PROFESSIONAL QUALIFICATIONS & DATES OF ADMISSION

NO	NAME & SURNAME	HIGHEST QUALIFICATION	YEAR OBTAINED	ADMITTED TO PRACTISE LAW
1	Brandell Turner	LLB	1995	1996
2	Gcobani Ntshingana	LLM	2001	2004
3	Bradley Ravens	BProc.MA	2001	2013
4	Aadil Kirsten	B.Proc	1995	1997
5	Fazloodien Abrahams	LLB	2014	2014
6	David Van Niekerk	LLB	2008	2010
7	Jill Eaves	LLB	2008	2011
8	Reza Slamang	LLB	2010	2014
9	Karusha Iyer	LLB	2009	2012
10	Donna Pereira	LLB	1997	1998
11	Ashleigh Youle	LLB	2012	2014
12	Japhet Nsindane	LLB	2004	2007
13	Alayna Lewendal	LLB	2009	2015
14	Joycelyn Harmse	LLB	2008	2010
15	Janine Carelse	LLB	2007	2009
16	Songezwa Lukuko	LLB	2012	2016
17	Shane Angelo Kaylor	LLB	2013	2016
18	Leshea Segers	LLB	2014	2017
19	Michael Gelderbloem	LLB	2015	CANDIDATE ATTORNEY
20	Umesh Mahabee	LLB	2015	CANDIDATE ATTORNEY
21	Thea Reinecke	LLB	2014	CANDIDATE ATTORNEY

# SUMMARY OF SPECIALIST LEGAL SERVICES

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## PUBLIC & ADMINISTRATIVE LAW

We have provided advice and opinions and litigated on behalf of various provincial and national state department and municipalities on administrative law matters involving zoning applications, tender disputes and challenges to council decisions. We have in depth knowledge and understanding of public sector legislation and the public sector environment.

## LITIGATION & DISPUTE RESOLUTION

We provide legal advice and representation in the following areas;

- Administrative Law e.g. unfair actions by government departments
- Contracts e.g. disputes resulting from breach of contract
- Regulatory Disputes e.g. disputes with licensing bodies such as the Liquor Licensing Board, Gambling & Racing Board etc
- Property Disputes e.g. poor workmanship and building defects, landlord and tenant disputes, building contract disputes etc
- Motor-Vehicle Accidents e.g. claiming damages as a result of motor-vehicle collisions, Road Accident Fund Claims etc
- Competition Law e.g. anti-competitive behaviour, instituting and handling complaints in Competition tribunals.
- Commercial Law: e.g. insurance and other commercial claims
- Labour Law e.g. unfair dismissals, unfair labour practices, employment equity disputes etc

## LOCAL GOVERNMENT LAW

- Supply Chain Policy/Procurement Disputes and Litigation
- Zonal Disputes
- National Treasury Representations
- Policy Development
- MFMA Audit Queries
- Systems Act Section 78 investigations
- Renewable Energy Project Advice
- Intergovernmental Agreements
- Investigations and initiation of hearings for Councillor Code of Conduct breaches
- NEMA Regulatory Compliance
- Municipal Law Opinions

## COMPANY & COMMERCIAL LAW & TRANSACTIONS

We offer commercial law assistance to clients in a range of business and government related matters;

- Advice on setting up a business entity
- Licensing agreements
- Registering of Companies, Business Trusts and Non-profit Companies
- Full range of business contracts including, employment contracts, partnerships and joint venture agreements, management agreements, confidentiality and non-disclosure agreements, non-circumvention agreements, agency, Service Level Agreements etc.
- Purchase & Sales of Businesses
- Business Rescue and Insolvency Proceedings
- Registration at various Boards and Councils
- Assistance with Tender Documents
- Public Private Partnership transaction advice
- Procurement

## LABOUR & EMPLOYMENT LAW

TNK Attorneys is particularly active in the public sector labour relations environment and have a sound working knowledge of public sector labour and employment legislation and collective agreements. Its attorneys have presided over several disciplinary hearings in both the public and private sector. Our services in this field include;

- Misconduct/disciplinary investigations and hearings,
- Restructuring & Retrenchment Processes,
- Performance Management
- CCMA/bargaining Council/Labour Court/Labour Appeal Court Litigation
- Drafting of workplace policies and training materials,
- Representation at collective bargaining chambers
- Training on Disciplinary Processes and Trial Advocacy

# SUMMARY OF SPECIALIST LEGAL SERVICES

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## PERSONAL INJURY

- Road Accident Fund Claims
- Personal Injury Litigation

## SPORTS LAW

We are currently the legal advisors to Cycling South Africa, the national cycling federation, where we provide on matters of policy, administrative procedure, disciplinary hearings and contractual disputes.

## FORENSIC INVESTIGATIONS

We currently have a forensic investigation division headed by Bradley Ravens. Bradley is a seasoned forensic investigator having developed his forensic investigation skills since 2002 through his work at the Scorpions, The Asset Forfeiture Unit, SARS and Price Waterhouse Coopers. Bradley works with Reaz Khan who has more than 15 years' experience in criminal court litigation especially in areas of commercial crimes. The team further consist of consultants who have a vast experience in prosecuting commercial crimes.

## MEDICAL NEGLIGENCE

We have experience in medicolegal work and have defended civil claims instituted against medical practitioners, assisted doctors in patient complaints lodged against them at the HPCSA , advised and defended doctors in criminal courts and rendered medico legal advice to doctors related to the practice of medicine.

Donna Pereira is a Senior Associate at TNK and leads all our medico-legal work. She has more than 10 years' experience in medical malpractice law. Through her extensive provision of medico legal opinions to the London Protection Society, an international indemnity insurer, Donna has developed an in depth understanding of a broad range of medical problems and conditions and is able to evaluate expert medical evidence and engage in technical medical discussions and analysis with medical professionals.

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# SUMMARY OF SPECIALIST LEGAL SERVICES

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## LEGISLATIVE DRAFTING

A large part of our work in the public sector is focused on legislative drafting and development. We are particularly active in the implementation and development of the National Land Transport Act, 2009 and its regulations for the Western Cape Department of Transport & Public Works. We are presently in the process of drafting a public transport law for the Western Cape.

We also assist Municipal Councils and various voluntary associations with the drafting of by-laws and actively comment on municipal legislation.

## TRANSPORT LAW

We have provided legal advice on the constitutional and administrative law issues related to its public transport contracts and the proposed cancellation of existing subsidised service contracts.

We also form part of a consulting team working on compliance and contractual issues related to the Western Cape Department of Transport's Integrated Public Transport Network Pilot project in the George and surrounding regions on the Cape South Coast. (George Mobility Strategy). This is a complex multi-disciplinary project involving transport planners, attorneys, engineers, public service managers, municipal managers, business strategy consultants and public transport associations.

We are currently assisting the Western Cape Department of Transport with the drafting of a provincial public transport law and continuously advise them on the Constitutional and other legislative challenges in establishing public transport networks.

## OTHER SERVICES

### CONVEYANCING, PROPERTY LAW & LITIGATION

- Property transfers (Conveyancing)
- Registering of Various Property Deeds
- Deeds Searches
- Drafting of Lease Agreements
- Re-Zoning Zoning Applications

### ENVIRONMENTAL LAW

Our attorneys have previously provided legal advice and litigation services to SANPARKS, World Wild-Life Fund and the Western Cape Nature Conservation Board (Cape Nature).

### THE NATIONAL CREDIT ACT & CONSUMER PROTECTION

We have a sound knowledge of the National Credit Act and the Consumer Protection Act and have appeared on behalf of consumers, debt counsellors and credit providers in National Credit Act litigation. One of our attorneys Mr David Van Niekerk's writings on the National Credit Act has been published in the May 2010 edition of the Attorneys Journal De Rebus. We also comment actively on the Consumer Protection Act and advise business on compliance matters related thereto.

### SMME SERVICES

We provide a wide range of basic legal and business services to SMME's in the greater Cape Town region. These include registrations of Companies, assisting with the registration at various regulatory bodies, tax and VAT registrations, mandatory licensing and employment matters. These services are very often provided free of charge or at a nominal fee. Our approach to SMME consulting is to assist small business entities to grow into sustainable businesses who will continue to use our services.

## OTHER SERVICES

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### EDUCATION AND TRAINING

We offer 3-4 day training workshops in trial advocacy and disciplinary/misconduct case management for middle and senior human resources and labour relations managers in the public service sector. These are localised to the public service and designed to transfer useful skills to public service officers.

### FAMILY LAW

- Divorce Court Litigation
- Maintenance Court Litigation
- Interim Maintenance Applications
- Domestic Violence Court Litigation
- Children's Court Litigation





# FEE STRUCTURE

## EXPERIENCE AND COST BREAKDOWN

NAME	HOURLY RATE	DAY RATE
PARTNERS/DIRECTOR	R1 500 - R2 000	R9 000 - R13 000
SENIOR ASSOCIATES	R1 200 - R1 400	R8 000 - R9 000
ASSOCIATES	R950 - R 1 100	R6 000 - R7 000
CANDIDATE ATTORNEYS	R450 - R550	R2 500 - R3 500
PARALEGALS	R250	R1 500

- Standard Rates exclude VAT
- Rates are negotiable and may be agreed upon during pre-contract engagements.
- Fees for external service providers such as advocates needed for the completion of a brief will be agreed upon with the client and billed at cost.
- All minor attendances for litigious and non-litigious briefs billed in terms of Law Society tariffs.

## EMPLOYMENT EQUITY

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TNK Attorneys is a wholly owned black firm. All its partners are from designated groups (Black African and Coloured). All attorneys employed are also from designated groups. Its directors of labour law and public law departments are also females. Its Broad-Based BEE contribution level is currently level 1.



## PRACTICE METHODOLOGY/CASE MANAGEMENT

Cases/projects are assigned to specific attorneys (the Lead Attorney) depending on the nature of the instruction. The Lead Attorney would be provided with the necessary support staff to ensure that all logistics around a particular matter are attended to swiftly. The responsibility of the Lead Attorney is however to manage the instruction and report to the client in terms of a reporting structure agreed on with the client. Communication with the client is key ingredient of our client relationships.

A project plan will be agreed upon with the client upon Initial contact with the client. This plan is the management tool by which the instruction is managed. Although the course of particular cases are unpredictable, the project plan generally assists the client in understanding the time-frames attached to the completion of their matter and the nature of the respective services rendered to them.

Attorneys also consult frequently with each other on their instructions to ensure an all-round legal and business perspective. We also have a network of attorneys outside of our firm on whose knowledge and experience in particular fields of law we are able to rely on. External experts and professionals are only utilised with the approval of the client.

Our case management policy is designed to meet five important needs of clients;

1. to meet pre-determined outcomes, and
2. to keep within anticipated time-frames, and
3. to keep clients constantly informed of progress in any matter, and
4. to minimise the harmful effect of disputes on business operations, and
5. to minimise legal costs

We report to clients at least once of week but keep an open line to legal services heads (or their assigns) of large scale institutions. We are also particularly diligent about not incurring legal costs when an alternative non-legal or business remedy avails itself. Reporting formats will be decided upon between ourselves and the client.

# REFERENCES

NO	CLIENT	DESCRIPTION OF SERVICE	ACCOUNT MANAGER	JOB TITLE	CONTACT DETAILS	EMAIL
1	Arm Scor SOC	Labour Court & Disciplinary Hearings	Mr Ndodomzi Mvambo	Sen.Manager: Employee Relations		NdodomziM@arm Scor.co.za
2	The SA Board for Sheriffs	Forensic & Disciplinary Investigations, CCMA Disputes	Adv Hishaam Mohamed	Deputy Chairperson of the Board	(021) 466 8249	HMohamed@justice.gov.za
3	Cederberg Local Municipality	Policy & By-Law Development.	Mrs Phemelo Majeni	Director: Engineering Services	(027) 4828000	phemelom@cederbergraad.co.za
4	City of Cape Town Metropolitan Municipality	Labour Court Litigation	Mr Alfonso Page	Legal Services	021 400 7430	alfonso.page@capetown.gov.za
5	Namakwa District Municipality	Intergovernmental Disputes	Mr C Fortuin	Municipal Manager	(021) 4830060	chrisf@namakwa-dm.gov.za

# CONCLUSION



We trust that we have provided you with an adequate profile of TNK Attorneys in order for you to decide favourably on our capacity to provide you with legal services. Brandell Turner may be contacted at any time should you need to discuss this proposal in more detail.

## BRANCH LOCATION

### **CLAREMONT OFFICE:**

1st Floor  
Beadica House  
12 Protea Road | Claremont | 7725  
Cape Town | South Africa  
Tel: +27 (21) 712 9851  
Fax: +27 086 6011 326

### **WYNBERG OFFICE:**

Kirsten Law Chambers  
Suite 101 | 1st Floor | Medical Mews  
48 Church Street | Wynberg | 7800  
Cape Town | South Africa  
Tel: +27 (21) 762 0004  
Fax: +27 086 6011 326

### **MITCHELLS PLAIN OFFICE:**

Abrahams Law Chambers  
104C on Spine Road Portlands  
Mitchells Plain | 7785  
Cape Town | South Africa  
Tel: +27 (21) 391 0169  
Fax: +27 086 480 6463