

# Civil and Corporate Litigation





# Firm overview

Minchin & Kelly (Botswana) was established in 1890 to serve the commercial and legal needs of Botswana and has successfully served this purpose for over a century. The firm continues to provide high quality legal services to domestic clients in Botswana but has also developed into a leading provider of services to international clients wanting to invest or do business in the country.

## About us

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The firm's historical association with and presence in Botswana together with a highly skilled and internationally experienced team of lawyers allows us to provide clients with commercial, legal and business solutions to complex legal issues in a manner that is sympathetic to and workable in Botswana. The firm's primary areas of practice include corporate and commercial, banking and finance, projects, commercial litigation, insolvency, labour law and property. Clients include financial institutions, national utility companies, global corporations, FTSE 100 and Fortune 500 companies, the Botswana government, individuals and various other medium to large companies. As of March 2012, the firm formally became a member of DLA Piper Africa, a network of independent law firms working across Africa. DLA Piper is the largest law firm in the world with a total of 4,200 lawyers practising in more than 40 countries worldwide. Our membership of this network has given our firm access to specialised legal skills in practically every field of employment law.

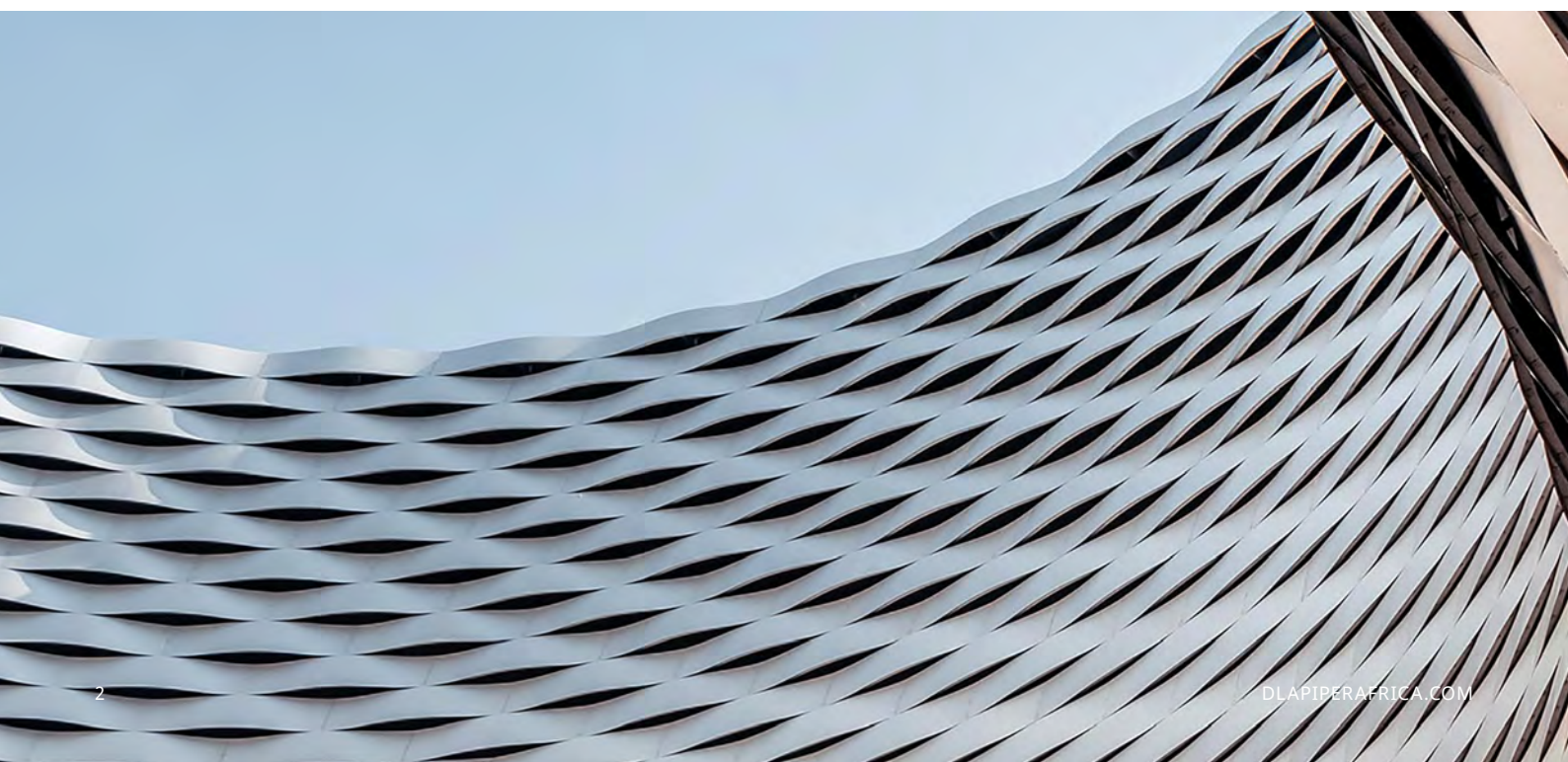
## Overview

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We offer a one stop solution through our Civil and Corporate Litigation Division. Our specialist litigators have vast knowledge and experience in dealing with and resolving disputes through arbitration, litigation and mediation. They are passionate, dedicated and determined to get the best results possible for our clients.

We advise and represent national and multi-national corporations, financial institutions and government entities in complex, multi-jurisdictional disputes. We ensure that our clients receive relevant, timely and effective advice based on our extensive expertise in litigation, arbitration, conciliation, mediation, negotiation and other means of pre-empting and settling disputes.

We are supported by DLA Piper's Litigation and Arbitration group. This association means we are able to manage clients dispute matters anywhere in the world. In cross-border disputes, clients will work through a single point of contact with their trusted Minchin & Kelly contact in Botswana. The relationship also gives our clients access to a wealth of experience and knowledge from around the globe, and immediate access to a worldwide database of important dispute resolution cases. The added value is that this facility saves our clients time and money.



## Recent experience

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John Little v KMPG – represented the liquidator in a claim for audit negligence worth approximately BWP200 million.

- EBC Guernsey Ltd v Bank of Botswana – represented a creditor of an insolvent bank in a claim worth approximately BWP30 million.
- Ramachandran and Another v PricewaterhouseCoopers (Botswana) and Another – we represent PricewaterhouseCoopers in an audit negligence claim worth over BWP500,000,000.
- Mosimane & Others v Botswana Power Corporation – Represented Botswana Power Corporation in an action against them following electrocution of individuals worth approximately BWP30 million.
- Botshabelo Estate v Botswana Power Corporation – Represented Botswana Power Corporation in an action against them following electrocution of individuals worth approximately BWP30 million.
- Botswana Public Officers Pension Fund (BPOPF) v Capital Management Botswana – we represent BPOPF in a claim worth approximately BWP450 million for breach of contract.
- First National Bank Botswana (FNBB) v Botswana Unified Revenue Services – we represented FNBB in a tax claim worth approximately BWP100 million.
- Mbeki v Maroba – we represent the plaintiff in a share dispute worth approximately BWP7 million.
- Pula Steel Casting and Manufacturing (Pty) Ltd – in liquidation – we represent and advise John Hinchliffe, the Liquidator of a multi million Pula estate, Pula Steel.
- We represent a creditor in a Lerala Diamond Mine liquidation claim worth approximately BWP600 million.
- We represented various creditors in the BCL Limited mine liquidation with claims worth approximately BWP50 million.
- Leboam Holdings t/a Mowana Mines v Giant Transport – we represent Mowana Mines (to confirm) in a contractual dispute worth approximately BWP120 million.
- We represented Botswana Development Corporation, a creditor, in the liquidation of Botalana Ventures.
- Supreme v Botswana Unified Revenue Services – we represented Supreme in a tax dispute worth approximately BWP30 million.
- We represent various insurance companies including Hollard Insurance Company Botswana, Botswana Insurance Company, B.I.C.B t/a Bryte Risk Services Botswana and Alpha Direct Insurance Company.
- We represented Kgalagadi Breweries Limited in a dispute with the Government in relation to a ban on the sale of alcohol.
- We represent the former directors of BCL Limited – in liquidation, in a BWP60 million reckless trading claim that has been instituted against them by a creditor of BCL.

## Key contacts

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