





ADAM PIKE

 **Constantia, Cape Town**

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NATIONALITY

South African

EDUCATION

University of Cape Town

LLM Commercial Law

2013

- Dissertation – Section 164 Appraisal Remedy (First Class)
- Competition Law (First Class)
- Advanced Corporate Law - Corporate Governance
- Advanced Corporate Law - Securities
- International Trade Law
- Maritime Law

LLB - General legal degree

2005

BA - Drama and Philosophy

1996

DATE OF ADMISSION

March 2008

EMPLOYMENT

Pike Law, *Legal Advisor and Attorney* Present

Webber Wentzel in association with **Linklaters**, *Senior Associate*, 2013

Fairbridges Wertheim Becker, *Associate - Corporate & Commercial*, 2009

Jan S de Villiers (now Werksmans), *Candidate Attorney*, 2008

Performing Arts Professional, *Freelance Professional*, 2005

- Locked, author & co-producer, produced by Artscape;
- Visiting Mr Green, Jeff Baron, Monte Casino, Theatre on the Bay, nominated best supporting actor, **Vita**;

- Master Harold... and the Boys, Athol Fugard, Baxter Theatre, Agfa Theatre on the Square, nominated best actor, Vita, nominated best actor, Fleur du Cap.

DIRECTORSHIPS

OLD DIOCESANS UNION (Chair)	March 2018 March 2020
FILM INDUSTRY VISA ASSISTANCE NPC	June 2018 – Present
INTERNATIONAL SCHOOL OF CAPE TOWN PROPRIETARY LIMITED	September 2017 – Present
THE NOAKES FOUNDATION NPC	December 2014 – Present
SIYASANGA CAPE TOWN THEATRE CO NPC	July 2011 – Present

PUBLICATIONS AND PAPERS

"An alternative view of the appraisal remedy: analysis"

South African Mercantile Law Journal (peer reviewed) **2014**

"Appraisal Rights and the Notice Anomaly"

Without Prejudice **2013**

"The Consequences of Unintended Law"

Without Prejudice **2012**

"Once More unto the Breach"

Without Prejudice **2012**

TEACHING EXPERIENCE

Guest Lecturer: Corporate Governance of Sporting Bodies **2012**

UCT's Sports Law Certificate program

Guest Lecturer: Renewable Energy Projects **2011**

UCT's LLM Structured Finance class

CHARITABLE & VOLUNTEER WORK

- Co founder and organiser of the Platteklip Charity Challenge an annual trail running and endurance event that takes place on Table Mountain every autumn, supporting under privileged school, HIV/AIDS initiatives and non-profit organisations.
- From 2002 until 2004 I mentored a young man living at a Boys' Town residence.
- Act *pro bono* for vulnerable women in maintenance and domestic violence matters.

SIGNIFICANT MATTERS

- Acting for Nedgroup Investment Advisors in High Court proceedings against Hospitality Property Fund Limited, a listed REIT, reported judgment.

- Acting for shareholder against La Concorde (KWV) Limited, in various High Court appraisal applications, reported judgment.
- Acting for Prof Tim Noakes in relation to a complaint lodged with the Health Professions Council of South Africa in the disciplinary hearing and in the appeal.
- Acting for a shareholder in relation to an urgent High Court application to prevent the unfair and oppressive conduct of Sovereign Foods Limited, a listed company, arising out of the implementation of appraisal rights due to it, reported judgment.
- Acting for activist shareholder, appearance before the Takeover Special Committee against Remgro Limited and Distell Limited in relation to the affected scheme of arrangement transaction between the latter companies.
- Advising dissident shareholders in relation to the exercise of appraisal remedy, against *inter alia* African Phoenix Investments Limited, Howden Africa Holdings Limited, PBT Group Limited, BuildMax Limited.
- Acting for and /or representing private shareholder clients in matters relating to their respective holdings in listed companies, including *inter alia* Naspers Limited, Coronation Fund Managers Limited and Hosken Consolidated Investments Limited.
- Assisting and advising Cybersmart Proprietary Limited, a nationwide internet services provider, in relation to an action for passing off arising out of the unlawful use by Telkom SOC Limited of its intellectual property.
- Advising WNS Limited, an international, dual listed business process outsourcing organisation, in relation to a significant outsourcing agreement entered into with Telkom SOC Limited, a national telecommunications company, and with the service level agreement arrangements between the two parties.
- Advising Granite Asset Managers in relation to Section 12J venture capital investments in the hospitality industry.
- Advising Konga Shopping Limited, an Africa-wide e-commerce platform service provider with its operations in South Africa.
- Acting for international logistics company in a commercial arbitration with a listed retailer group.
- Advising Kirkman Lanfear and Private Client, parties to merger transaction.
- Acting for and advising Moore Stephens Forensic Services in relation to public procurement, tender and supply chain management appeal processes, as well as contentious matters.

- Advising Suid Afrikaanse Tafeldruive NPC and South African Table Grape Industry NPC and in relation to the merger provisions of the Companies Act pursuant to a merger.
- Advising DaxData (software reseller) in relation to local software distribution, re-seller and agency agreements.
- Advising Windlab Developments South Africa Proprietary Limited, independent power producer, in relation to financial close of a Round Three project, as well as projects in Kenya, Tanzania, Malawi, Zambia and Mozambique, and quarry rights and land use permits.
- Advising Warrior Coal in relation to a coal to liquids project situated in Mozambique, in relation to farm in and farm out agreements and structures pursuant to the inclusion of European shareholders and participants as well as the funding of local shareholders and participants, as well as drafting the agreements pursuant thereto.
- Advising Engen Petroleum Limited in relation to the structuring of its interests in an oil refinery, particularly regarding the licences and lease held by it in relation to the immovable property on which the refinery is situated.
- Advising Western Cape Economic Development Partnership NPC in relation to the adoption of a new memorandum of incorporation ("**MOI**"), drafting the MOI and liaising with stake holders in relation to the drafts thereof.
- Assisting and advising Petroliam Nasional Berhad (Petronas) in respect of the restructure of its interests in Africa, briefing and liaising with local African counsel in 40 jurisdictions throughout Africa in relation to the implementation of the transaction in the particular jurisdiction, including questions and issues relating to incorporation of juristic entities, labour regulation, regulatory intervention and competition regulation.
- Advising African Infrastructure Investment Managers, the shareholders of an independent power producer, in respect of the solvency and liquidity requirements of the Companies Act, refinancing proposals for the interim finance of the generation plant and advising the shareholders in relation to compliance with the provisions of the Companies Act in relation to financial assistance.
- Advising ABSA Bank Limited with a multi-jurisdictional due diligence investigation in relation to the acquisition by it of Barclays Plc's African assets, including in-country reviews in Ghana, Tanzania and Uganda, interviewing in house legal counsel and credit management in relation to banking governance, facility agreements and operational issues, drafting due diligence summaries, due diligence executive summaries and due diligence reports.

- Acting for and advising the African Infrastructure Investment Fund in relation to conflicts of interest arising out of and in respect of the rules and regulations of the IPP RFP and the consequences thereof, including formulating strategy to disclose the conflict to affected parties.
- Advising minority shareholders of Gammatec NDT SOC of their rights in terms of the Companies Act, Public Finance Management Act, the Treasury Regulations and applicable corporate governance codes.
- Advising the Government of Argentina on matters pertaining to the attachment of its naval assets arising out of the default of sovereign bonds.
- Advising the Cape Town Partnership NPC in relation to corporate governance and board procedure.
- Conducting board initiation for Cape Town Design NPC directors. Conducting board initiation for Cape Town Partnership NPC directors.
- Advising the Petroleum Oil and Gas Corporation of South Africa SOC Limited (PetroSA) on the acquisition of several interests in certain deep-water oil blocks in West Africa, including participation in the due diligence investigation of the asset in question.
- Assisting and advising Exxaro Resources Limited in respect of the Renewable Energy IPP Procurement Programme in respect of photo voltaic and wind bids.
- Advising Goldwind, a global wind turbine manufacturer based in China, in relation to the establishment of a local entity, incorporation, internal structuring and the rules and regulations in respect of the RFP.
- Advising private equity fund in respect of its interests in infrastructure assets in relation to the renewable energy IPP procurement programme.
- Acting Alcatel Lucent, an international telecommunications company, in a series of arbitral hearings relating to various breaches by its independent consultants of their consultancy agreements, and the prospects of success in relation to the various hearings.
- Acting for McAllister Olivarius, a multi-jurisdictional law firm in an action for the recovery of fees by it against a former client.
- Acting for certain members of Houtkapperspoort Body Corporate, being sectional title holders in a rental pool, in a series of applications against certain trustees of the body corporate and the rental pool management company for their removal as trustees and for the winding up of the rental pool company on the basis of a claim for fraudulent non-disclosure of income.

- Acting for Business Systems Group Africa Proprietary Limited, a national business software solutions provider, in an action against an international collateral control institution (a provider of credit support, field audits, inspection, supervision and monitoring in emerging markets) for unpaid fees and contractual breach.
- Acting for Afimilk, an international dairy herd management system supplier, in an application for the winding up of its local distributor.