# WALTER MUSHI

Partner



- Attorney in the High Court of Botswana (2014)
- Master of Laws (Mercantile Law), (Nelson Mandela University)
- Practical Legal Training Certificate (Nelson Mandela University)
- Bachelor of Laws (Nelson Mandela University)

**walter@desailawgroup.co.bw**

**+267 7300 5566**

## OTHER QUALIFICATIONS

**Adv. Certificate in Corporate Law (University of South Africa)**

**Certificate in Financial Markets (Yale University)**

**Certificate in Applied Economics (University of Cape Town)**

## BACKGROUND

Walter completed both this LLB and LLM at the Nelson Mandela University in South Africa. In 2014 he joined Barclays Bank Botswana as a Legal Officer in the Retail Credit Department. He then worked as an Associate for a law firm based in Gaborone, Botswana from 2015 to 2019. This was followed by a stint as Legal Services Manager at Botswana Telecommunications Corporation Limited from February 2019 to December 2019. Walter returned to private practice by joining Desai Law Group as a Senior Associate in January 2020 up to September 2020, before being appointed Partner at Desai Law Group in October 2020.

## CAREER HIGHLIGHTS

### PRIVATE EQUITY

- Part of the team involved in the setting up of a large private equity fund in Botswana.

### PROCUREMENT

- Lead local Attorney for Ithuba Solutions (Proprietary) Limited in a procurement dispute in respect of Botswana's first national lottery licence.

## CORPORATE / COMMERCIAL

- Lead in-house counsel in the drafting of an Indefeasible right of use (IRU) agreement between Botswana Telecommunications Corporation Limited (BTCL) and BOFINET.
- Botswana contributor to the World Bank Doing Business Report 2015, 2016 and 2017.

## CAPITAL MARKETS

- Part of the lead advisory team in the issuance of a BWP 2 Billion Medium Term Note for ABSA Bank of Botswana Limited, a leading multinational bank.
- Part of the lead advisory team in the issuance of a BWP 500 000 000 Medium Term Note for RDC Limited, a leading variable rate company.

## COMMERCIAL DISPUTE RESOLUTION

- Acted for Norsad Finance Limited in its successful arbitral award against the Focus Group of Companies in the amount of BWP 100 million.
- Lead local Attorney for Norilsk Nickel in its reckless trading proceedings against former directors of BCL Limited.
- Part of the team giving legal advice to the Disciplinary Committee of the Botswana Institute of Chartered Accountants for purposes of conducting disciplinary hearings.
- Acted for Baisago University in respect of a BWP 20 million dispute with an erstwhile service provider.
- Botswana counsel for Pick n Pay Group in respect of a dispute with its Botswana franchisee.

## MERGERS AND ACQUISITIONS

- Part of the lead advisory team to the Marubeni / Posco consortium (Sponsors) in respect of an Independent Power Purchase deal in relation to the Morupule Units 5 and 6 Project.
- Part of the team involved in the successful acquisition of a BWP 200 million stake in a variable rate loan stock company.
- Part of the Botswana team advising on the merger between Anheuser Busch InBev SA/NV and SABMiller Plc.
- Part of the Botswana team advising on the acquisition of an interest in Mashatu Investments (Proprietary) Limited by Pula Properties Limited.
- Part of the team advising on the acquisition of Spark Capital (Proprietary) Limited by Standard Chartered Private Equity and 2 other investment partners.

- Part of the team advising on the acquisition of Kgalagadi Breweries Proprietary Limited's Non-Alcoholic Ready to drink business by the Coca-Cola Company.

## GOVERNMENT PROJECTS

- Part of the lead advisory team to Botswana Housing Corporation on the restructuring of its commercial property portfolio, which included advising on the feasibility of a public - private partnership arrangement with a private sector strategic investor.
- Part of the lead advisory team to the Government of Botswana on the transfer of ICT assets from Botswana Power Corporation and Water Utilities Corporation to Botswana Fibre Networks Limited (BOFINET), pursuant to the Government's ICT Rationalisation Policy.
- Part of the lead advisory team to the Government of Botswana in respect of the transfer of its television and radio broadcasting and transmission assets to BOFINET.
- Acting as part of the lead advisory team to the privatisation of BTCL and its BWP 462 million listing on the Botswana Stock Exchange, the first of its kind for a Botswana parastatal.

## MINING AND ENERGY

- Part of the team involved in the application for an exclusive petroleum importation licence for Botswana Oil Limited.
- Part of the team involved in the drafting of petroleum related regulations.

## REGULATORY

- Part of the team representing a leading Internet Service Provider in a regulatory dispute at Botswana Communications Regulatory Authority.

## INSOLVENCY AND RESTRUCTURING

- Part of the team involved in advising on a USD 34.5 million offer of compromise in respect of Discovery Copper Botswana.
- Part of the team involved in advising Diesel Power Botswana (a subsidiary of Johannesburg Stock Exchange-listed Build Max) on a successful offer of compromise with its creditors.
- Acted as lead Attorney for the Bank of Botswana, as statutorily appointed Master, in respect of the winding up of Kingdom Bank Africa Limited.

- Part of the team advising Norilsk Nickel on the preservation of its rights in Botswana and at the London Court of International Arbitration in respect of the winding up of BCL Limited, the largest winding up in Botswana's history.
- Part of the team involved in advising on the acquisition of a mineral prospecting company through a scheme of arrangement.
- Part of the team advising Bank Gaborone in respect of a large winding up in the agricultural sector.