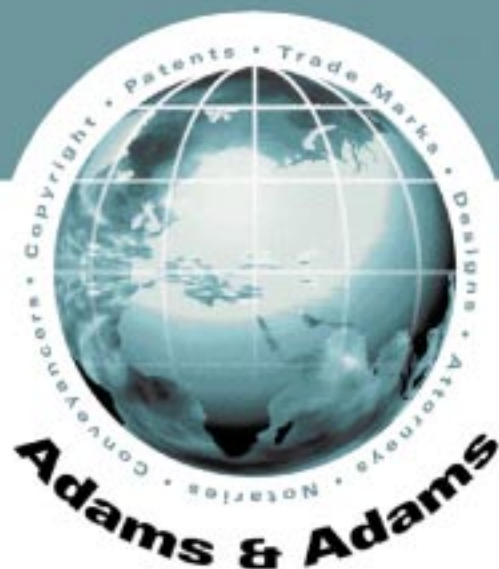


Pretoria

Johannesburg

Durban

Cape Town
South Africa

Focus on Adams & Adams

A&A gets milestone decisions in personal injury claims

Milestone decisions in
personal injury claims

A&A's competitive edge in the
sports arena

Academic achievements
at A&A

The specialised litigation unit in the General Law department of A&A dealing with personal injury claims has built up, over the past decade or more, an impressive record of successful claims against the Road Accident Fund. This team, under the leadership of department chairman Eugene Eybers, comprises three partners, one associate, six professional assistants (all fully qualified and admitted attorneys), supported by some 15 candidate attorneys, paralegals and support staff.

Quantification of damages

Eugene Eybers recently obtained a milestone judgment against the Road Accident Fund, and a substantial award of damages for a whiplash injury, by persuading the court to redefine the category of 'general damages' in a personal injury claim. The court took into account the impact of the whiplash injury on all facets of the victim's life, including physical activities such as running and cycling, strains on her marriage, dermatological and emotional problems, etc. The award, which included future loss of earning capacity and general damages, represented the highest award to date, of which we are aware, for general damages.

Success for A&A client

Grégor Wolter (partner) and Leander Opperman (associate) in the litigation team of A&A's General Law Department recently finalised a personal injury claim against the Road Accident Fund of South Africa on behalf of a girl who was severely brain injured at the age of 14. At the time of the accident the family were resident in South Africa but have since emigrated to New Zealand.

Traditionally it has been difficult to establish, with any certainty, the future of a child injured at a young age. In this matter recourse was had to the child's impressive pre-accident achievements and level of functioning as well as the achievements of her immediate family. Extensive investigations were also conducted into the work and social environment in New Zealand. With the available information, it was possible to project the minor onto a successful senior management career path in New Zealand.

The claim was settled with the Road Accident Fund on the morning of the trial. The total capital award was approximately R6,500,000, a portion being calculated in New Zealand dollars. The Road Accident Fund also provided an undertaking to reimburse the minor for all medical and other assistance required as a result of the injuries in the accident. This will specifically cover the costs of a 24 hour assistant, once she becomes independent of her family, and the costs of a trustee or curator to administer her affairs. The award represents one of the most substantial successful claims against the Road Accident Fund.



Eugene Eybers



Grégor Wolter



Leander Opperman

A&A shows its competitive spirit

Partners and staff of Adams & Adams regularly take place in a variety of competitive sports events, as teams but also on an individual basis.

- The A&A relay team under the leadership of partner Charné le Roux and appropriately referred to as 'the Cheetahs', continues to dominate the legal relay challenges. The team won the legal section of both the Pretoria and Johannesburg business challenge relays during 2002 (photo right top).
- Partner Eugene Eybers, Chairman of the general Law Department, and Leander Opperman (associate) rode the 2003 Argus Cycle Race (over 109 kilometers of mountain roads) with Leander achieving a reputable 3h16 time.
- Partner Grégor Wolter, a litigator in the General Law Department, and Steven Yeates, a professional assistant in the Trade Marks Department, completed the gruelling 2003 Duzi Canoe Marathon (photo right).
- Three A&A members, partner Simon Brown, associate Leander Opperman, and Roelof Grové, a professional assistant in the conveyancing section, will participate in the Comrades Ultra-Marathon later this year. Charles Stewart, a senior partner in the Trade Marks Department and former chairman of A&A, who has run the Comrades 5 times, will also be running again. Athletes from around the world compete in this gruelling race over 90 kilometers.



Academic achievements at A&A

A&A partners and professional staff members are continuously engaged in enhancing their academic qualifications:

- Two partners in the Trade Mark Department, Charné le Roux and Gérard du Plessis, recently completed the WIPO training course in Geneva on the dispute resolution procedure of the WIPO Mediation Center for domain name disputes.
- Leander Opperman, an associate in the General Law Department, received an LLM degree in Banking Law.
- Ilse Lock, an associate in the Trade Marks Department, received an LLM degree in the Law of Contract.
- Roelof Grové, a professional assistant in the conveyancing unit of the General Law Department, received an LLM degree in Commercial Law.



from left to right:

Ilse Lock, Leander Opperman, Gérard du Plessis, Roelof Grové and Charné le Roux