

Havi & Co. ADVOCATES

Our Ref: HA/MS/013/2020
Date: 28th May, 2020

The Chairperson,
Political Parties Dispute Tribunal
21st Floor, Anniversary Towers
University Way
Nairobi

Dear Sir/Madam

Re: Complaint No 9 of 2020, Ford- Kenya v David Eseli Simiyu and Wafula Wamunyinyi

Dr John Khaminwa and I have been instructed by the Applicant in this matter to lead Eunice Lumallas.

The Applicant's Notice of Motion dated 2nd June, 2020 was certified urgent and fixed for inter-parties hearing on 14th June, 2020. The date given is far and the Motion may be rendered nugatory for the reason that the Respondents are keen on effecting the changes challenged in this matter before the Registrar of Political Parties in an attempt to defeat this litigation.

A further Certificate of Urgency has been filed setting out the grounds as to why there is need for the Applicant to be heard on the Motion and the Orders sought therein granted. The limitations attendant to the online hearing platform currently adopted by the Judiciary will prejudice our client's right to a fair hearing as guaranteed under Article 50 of the Constitution.

In view of the above, we humbly request that you avail us a physical platform when we may appear before you preferably on 9th June, 2020 to argue the Motion.

Yours faithfully,



Nelson Havi
nhavi@haviandcompany.com
NH/al

Yours faithfully,



Dr John Khaminwa

Cc

Eunice Lumallas, FCI Arb'
International Litigation and Arbitration
Wu Yi Plaza, 5th floor Galana Road off Lenana Road, Kilimani
Nairobi

Park Suites,
3rd Floor, Suite No. 4
Parklands Road, Opposite
Parklands Post Office

P.O Box 38422 - 00623
Nairobi, Kenya

Telephone:
+254 20 4401176
+254 20 2390925
+254 722 904905

Email:
info@haviandcompany.com
www.haviandcompany.com

Dropping Zone:
Embassy House
Basement Floor
Room 8
Harambee Avenue

PIN: A002948851K
VAT: 0167311G