



Odhiambo Obonyo

Senior Associate | ALN Kenya | Anjarwalla & Khanna

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Background

Obonyo is a Senior Associate at ALN Kenya | Anjarwalla & Khanna in the Dispute Resolution department. He advises and represents clients on a wide array of, criminal, civil and complex commercial disputes. He is a Commissioner for Oaths and a Notary Public.

Professional Membership

- Member, Law Society of Kenya
- Member, East Africa Law Society

Professional Qualifications

2022: Strathmore University- Data Protection Course-Centre for Intellectual Property & Information Technology Law.

2019: ICCA Advocacy Training-The Inns of Court College of Advocacy

2017: Admitted as an Advocate of the High Court of Kenya

2015: Postgraduate Diploma in Law, Kenya School of Law

2014: LL.B, (Hons) (Second Class Upper Division), The Catholic University of Eastern Africa

Career Summary

April 2024 – Date: Senior Associate, Anjarwalla & Khanna

Jan 2021 – March 2024: Principal Associate, Anjarwalla & Khanna

Aug 2017 – Dec 2020: Associate, Anjarwalla & Khanna

Jan 2016 – Jul 2017: Trainee Lawyer, Anjarwalla & Khanna

Top Matters

Dispute Resolution

- Successfully represented a client in a high profile criminal matter against an application for a request for private prosecution.
- Successfully defended **Phibro Animal Health Corporation** in a suit seeking an order for entry of judgement in relation to a the bill of costs filed under Section 51 of the Advocates Act and Order 50 Rule 1 of the Civil Procedure Rules, 2010.
- Successfully represented **Chui Bing Sun** and **Checkmate Capital** in connection with a complex international gold scam case against several individuals in Kenya before the High Court and obtaining interim orders freezing bank accounts belonging to two (2) law firms in Kenya, interrogatories directed at the banks involved in the fraud and ordered for tracing of assets purchased used the proceeds of crimes.
- Successfully represented **ABSA Bank Kenya** in connection with th recovery of EUR 96,720 against Aritmos, a company based in Spain.
- Successfully acting for an international tours and travel company in connection with a constitutional petition against Kenya Revenue Authority, the Directorate of Criminal Investigations (DCI) and the Office of the Attorney General in connection with a KES 500 million tax demand, in which the court held that the DCI's demanding of production of documents from the Petitioner by use of threats infringed on the Petitioner's constitutional right to silence and right to refuse to give self-incriminating evidence.
- Acting for a multinational confectionery company in connection with a land dispute in Kenya involving one of its local subsidiaries.
- Defending **Mitsubishi Electric Corporation**, a Japanese multinational electronics and electrical equipment manufacturing company, in connection with contesting a suit filed in the High Court of Kenya at Nairobi by MITS Electrical Company (MITS) on account of alleged breach of various distributorship agreements. In the suit, MITS have sought damages of about KES 1.3 billion.
- Successfully defending the **Forum for Africa Women Educationist**, pan-African non-governmental organization founded that promotes girls' and women's education in sub-Saharan Africa, against an employment claim brought by a former consultant.
- Successfully defending a client in connection with a class action suit instituted by residents of Busia County in connection with a negligence arising from consumption of alleged contaminated sodas.
- Successfully acting for a private client in connection with acquisition of a grant of probate in a succession matter filed before the Isle of Man Courts of Justice.
- Successfully acted for **East African Exploration Kenya** in connection with a civil case brought by a Seismic Data provider, BGP Kenya on a breach of contract dispute occasioned by failure to pay a contractual sum due to BGP Kenya.
- Successfully representing various clients in connection with investigations being undertaken by the Directorate Criminal Investigations.
- Acting for **Skylight** in a suit filed before the Environment and Land Court in Kisumu in connection with a disputed transfer of land and community land rights.
- Successfully acted for and defended Embakasi Industrial Projects in connection with a case of double allocation of land at the Environment and Land Court in Machakos.
- Acting for **Cancer Care Kenya** in connection with the acquisition of their shares by Healthcare GlobalKenya, a private comprehensive cancer centre, the first one in the East African region.
- Acting for a multinational financial corporation in connection with its proposed use of Automatic Billing Updater in relation to updating of its customers information in Kenya, including providing regulatory advise.
- Advising **PG Bison** in connection with breaches of some of its registered trade marks by its competitors in

- te market.
- Acting for **Embakasi Industrial Projects** in connection with a case of double allocation of land at the Environment and Land Court in Machakos.
- A multinational confectionery company in relation to a land dispute in Kenya involving one of its local subsidiaries.
- Acting for **Sigma Phi Investments** in a petition before the Environment & Land Court in a dispute involving a disputed transfer of land.

Tax Disputes

- Successfully acting for the **Kenya Association of Manufacturers** with at the High Court in connection with a constitutional petition against the KRA, the Attorney General and National Assembly, challenging the constitutionality of the of Section 12D of the income Tax Act that introduced minimum tax in Kenya, which was eventually declared unconstitutional.
- Acting for **JibuCo Kenya** in connection with a judicial review against the Kenya Revenue Authority (KRA) connection with the closure of some of its stores in Kenya by the KRA on grounds that they were manufacturing water without an excise duty license.

Employment

- Successfully acting for **Altron Bytes Kenya** in connection with an employment matter filed by one of its former employees before the Employment and Labour Relation Courts.
- Acting for and advising a large multinational company in the agricultural and manufacturing industry in connection with various employment disputes filed in Nyeri, Migori and Kisumu.
- Representing **Unga** in connection with an employment/criminal matter involving the Directorate of Safety and Health Services following the death of a contractor at Unga's premises.
- Acting for on a pro bono matter, the family of **Nazmuddin Habib Kassam Kurji** in connection with an employment suit filed by a former employee whose termination of employment was occasioned by the illegal eviction of the Kurji family from their home by unscrupulous land grabbers who demolished the Kurji family's residence.
- Acting for **Altron Bytes Kenya** in connection with an employment matter filed by one of its former employees before the Employment and Labour Relation Courts.
- A multinational corporation negotiating an out-of-court settlement in connection with an employment dispute instituted by one of its former employees.
- Acting for a global **non-profit organization** in relation to various employment disputes on foreign contracts of service.
- Acting for **Bitpesa** in connection with a suit filed by a former employee before the Employment and Labour Relations Court in relation to a non-compete clause.
- Acting for **Forum for Africa Women Educationist** against an employment claim brought by a former consultant.

Fraud and Anti-Corruption

- Advising a large multinational in connection with the Kenyan anti-bribery law, liability of companies and their officers, extra-territoriality issues, and the scope and extent of regulators' powers of investigation.
- Advising **Fortescue Future Industries** on bribery, fraud, anti-money laundering, employment law, compliance and whistleblowing law in Kenya.

- Acting for **Chui Bing Sun** and **Checkmate Capital** in connection with a complex international gold scam case against several individuals in Kenya before the High Court and obtaining interim orders freezing bank accounts belonging to two (2) law firms in Kenya, interrogatories directed at the banks involved in the fraud and ordered for tracing of assets purchased used the proceeds of crimes.
- Acting for **ABSA Bank Kenya** in connection with the recovery of EUR 96,720 against Aritmos, a company based in Spain.
- Acting for a large multinational on Kenyan anti-bribery law, the liability of companies and their officers, extra-territoriality issues, and the scope and extent of regulators' powers of investigation.
- Acting for a multinational financial corporation in connection with its proposed use of Automatic Billing Updater in relation to updating its customer's information in Kenya, including providing regulatory advice.
- Acting for **Capital Markets Authority of Kenya** in connection with its proposed guidelines on Global Depository Receipts and Global Depository Notes.
- Acting for various clients in connection with investigations being undertaken by the Directorate Criminal Investigations

Capital Markets

- Advising the **Capital Markets Authority of Kenya** in connection with its proposed guidelines on Global Depository Receipts and Global Depository Notes.
- Advising a non-deposit taking microfinance institution in connection with its listing on the Growth Enterprise Market Segment of the Nairobi Securities Exchange.

Insolvency

- Acting for **African Cotton Industries** and **Gold Crown Beverages Kenya**, in connection with an insolvency petition involving Nakumatt Holdings (which was one of Kenya's biggest retail chain valued at USD 407 million) in connection with its failure to pay its outstanding debts.

Probate and Succession

- A private client in connection with the acquisition of a grant of probate in a succession matter filed in the Isle of Man Courts of Justice.