



**G.M GAMMA ADVOCATES LLP**  
ADVOCATES & COMMISSIONERS FOR OATHS

FIRM PROFILE  
**2020**

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# who we are

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G.M Gamma Advocates LLP is presently a medium sized law firm operating from the Kenyan capital city of Nairobi and the coastal town of Mombasa. We offer legal, advisory and training services over a wide spectrum as highlighted below. The Firm comprises of five legal practitioners, two consultants and three legal assistants who ensure that our clients' needs are studiously met with utmost confidentiality. The Team is complemented by its Administration Department headed by a versatile Firm Administrator supervising a support staff of nine members. The Firm is constituted of highly resourceful members with impressive track records. This assures quality and professional legal and advisory services. Our Partners, Gad Ouma (Managing Partner) and Joshua Ndere (Partner), are distinguished and honourable legal practitioners. In conjunction with the team, the Firm demonstrates model competence and excellence making it a hub of legal experts geared up to provide first class services to its esteemed clients.

# why choose us

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We endeavour to cultivate, nurture and maintain a bond of professional trust and confidence with our clients. In doing so, we work to provide legal solutions that aptly correspond to the unique and specific needs of each client.

G.M Gamma Advocates LLP is absolutely committed to excellence. It prides itself in its resolute and dynamic ability to find innovative solutions to legal issues and challenges, whether complex or ordinary. Our diverse and expanding client base is a true testament to this. With our Team of committed lawyers, the client is assured of value in the best legal, advisory and managerial services.

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our

# Lawyers' Experience

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The Firm's lawyers aggregate experience of over thirty six years are in various fields of law to wit; Alternative Dispute Resolution, Arbitration, Aviation, Banking and Financial Services, Capital Markets, Competition and International Trade, Contracts, Corporate Governance, Legal and Compliance Audits, Constitutional and Administrative law, Elections, Energy, Environment & Land, Family, Information Technology & Communication, Insurance, Intellectual Property, Labour & Employment, Litigation & Dispute Resolution, Mediation, Mining, Oil & Gas, Public Procurement law, Public and Governmental Transactions, Real Estate and Taxation.

Our lawyers have undertaken successful litigious matters in Kenyan Courts right from the apex, the Supreme Court to the Magistrates' Courts. They have also been successful in matters before various Tribunals including the Public Procurement and Administrative Review Board as well as Arbitral and other alternative dispute resolution fora.

Their experience is further buttressed in acting for over fifteen commercial banks; State parastatals in the sectors of Energy, Oil & Gas, Communications, Aviation, Health, Employment, Labour & Social Security, Retirement/ Pension Schemes; over ten regulated insurance companies; several County Governments; numerous private limited companies; and a host of individuals.

## our clients

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The renowned experience of our lawyers renders G.M. Gamma Advocates LLP the firm of choice. The firm has represented various institutional and individual clients in agribusiness, construction, energy, finance, hospitality and leisure, information technology, insurance, life sciences and healthcare, manufacturing and industrial sectors, mining, private equity, real estate and telecommunications sectors. Others include private and public companies and Public Benefit Organizations (PBOs). Our legal acumen and capacity has been a valuable asset in establishing our reputable and growing clientele. A detailed list may be availed upon request.

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# what inspires us

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At G.M. Gamma, we offer timely, practical and desired solutions to our esteemed clients in a professional and effective manner to advance their best interests at all times. These are embodied in our Values epitomized as ARCS which are:-

## A

Availability and reliability at all times for the client.

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## R

Results oriented. We seek to understand the client and the business of the client. We then endeavour to avail tailored solutions in a timely manner to meet the client's specific needs

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## C

Confidentiality of the client and the client's interests are paramount We foster a relationship of trust to ensure that our clients are comfortable and confident with, and in us.

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## S

Soundness of legal and advisory services. Based on our experience, well-researched views and up to date knowledge of local and global trends in law, we offer comprehensive legal and advisory services.

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# our location

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## **Head Office**

Our Head Office is located in Kilimani area at Chaka Place, 2nd Floor, off Argwings Kodhek Road (near Yaya Centre) Nairobi.



## **Mombasa Office**

Our Mombasa offices are on the 4th Floor of ACK Cathedral Complex, along Nkrumah Road. Both offices are ultra-modern and conveniently located. They are near their respective Court precincts, fine Malls, numerous public and private institutions, businesses, restaurants and other social amenities

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# our resources

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## People

The people at G.M. Gamma Advocates LLP are its greatest resource. The Advocates, legal assistants and support staff ensure that the diverse, talented and specialized Team renders dedicated legal and advisory services in addressing the varied needs and demands of our clients.



## Library

Our pride of place is our library and resource materials necessary to provide rigorous, result-oriented legal and advisory services. The Firm continues to invest immensely in the library and digital resource materials to afford its staff the appropriate updated legal knowledge coupled with general information. The library facilitates and compliments the Team's efforts in arriving at suitable, bespoke and timely solutions for the clients.



## Technology Integration

We are well aware that clients desire value for their money. In keeping abreast with the times, we have adopted some of the securest advancements in technology that integrate not only file management but also impart knowledge and for project and analytics management. We have also invested heavily in modern equipment and have a platform for distance video-conferencing. This IT infrastructure has discernibly improved our productivity which ultimately benefits our clients.



## Professional Indemnity Cover

The Firm has taken out a Professional Indemnity Insurance Policy with Heritage Insurance Company Limited in the sum of Kenya Shillings Two Hundred and Fifty Million Kshs. 250,000,000/=). The Firm intends to increase this Cover as the business expands.



## Corporate Social Responsibility

G.M. Gamma strongly believes in supporting the community and society. To date, our CSR activities have been in rendering pro bono legal services through partnerships with bodies like the Law Society of Kenya and various sponsorships including needy students in the local universities and secondary schools.

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# the partners

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## ▼ Gad .O. Ouma

Managing Partner & Partner In-charge  
Litigation, Legal Advisories & Special Projects

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**G**ad Ouma is a holder of a Bachelor of Laws Degree with distinction from Moi University. He also holds a Postgraduate Diploma from the Kenya School of Law and three distinguished academic awards from the School.

Prior to the establishment of G.M. Gamma, Gad Ouma was a Partner at Robson Harris and Company Advocates where he was in charge of the Litigation and Alternative Dispute Resolution Department. Gad has a preference for, and is highly competent in Commercial law, Energy law, Litigation and Dispute Resolution.

His other areas of practice include Arbitration, Constitutional and Administrative law, Contract law, Corporate law, Employment and Labour law and Taxation law.

## Notable Achievements

### A. Legal Advisories

- Key member of a Team that provided legal advisory services to an electricity generating company in a Wellheads Geothermal Power Generation project worth USD \$41 Million.
- Lead counsel in a Team of lawyers who carried out a comprehensive legal audit of a power utility with regional presence in East Africa with an asset value of KSh. 273 Billion.



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## **B. Litigation and Dispute Resolution/ Contract**

- Successfully represented a leading power utility in a complex commercial/contractual litigation matter with a value of KSh. 4.7 Billion where the claim arose from the abrupt cancellation of a supply of goods contract against his client.
- Represented a leading power generating Firm in Court in a commercial cum construction dispute whose subject value was KSh. 3.2 Billion and relating to breach of contract for the construction of power plants. The matter was successfully settled in favour of his client.

## **C. Constitutional and Administrative law**

- Successfully represented a giant power utility in Kenya's first multi-trillion-shilling public interest class action law suit which was not only protracted in Court but highly and consistently publicized in the public domain. The suit was characterized as having the potential of causing a national crisis in the energy sector. The suit was eventually resolved in favour of his client with no costs.
- Represented a private transport and logistics company in a Petition challenging the public roads authority's exercise of statutory power to levy fines and penalties against alleged errant users of the National roads and highways. Mr. Ouma obtained a favourable judgment for his client in which the statutory powers were found to be unconstitutional, and any levy of such fines and penalties were nullified.

## **D. Employment and Labour law**

- Represented the Board of Directors of a leading parastatal in the Communications sector in which the Board had been restrained by the Court in recruiting the Chief Executive. He successfully defended the Board against the claim allowing the parastatal to proceed with the appointment of the Chief Executive.
- Represented a public regulatory body in the Transport and Shipping sector in which the claimants had sought to permanently prohibit the body from conducting the recruitment process of its Chief Executive. Mr. Ouma successfully obtained a favorable judgment allowing the body to proceed with the recruitment exercise.

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## E. Commercial and Conveyancing law

- Represented a leading bank in a commercial transaction relating to creation and discharge of securities in the sum of KSh. 700 Million.



### ▼ Joshua .O. Ndere

Partner & In-charge of Mombasa Office

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Joshua Ndere is a law graduate of Moi University. In addition, he holds a Postgraduate Diploma in Law from the Kenya School of Law and a Certificate in Fundamentals of Upstream Oil, Gas & Mining from Kipya Africa Drilling Solutions and Kenya Chamber of Mines.

Mr. Ndere worked at Miller and Company Advocates prior to setting up Joshua Ndere and Co. Advocates, which was eventually incorporated into G.M. Gamma LLP. Mr. Ndere's resourceful and responsible manner has been manifested in the various matters he has been entrusted with.

## Notable Achievements

### A. Banking/ Financial/ Advisory

- Key member of a Team that provided legal advisory services to a public bank in a capital-raising commercial transaction leading to the realization of KShs. 10 Billion.
- Legal Advisor to a local bank and handled the transactions relating to a Resettlement Action Plan with a value of KSh. 1.2 Billion.
- Conducted various legal awareness and training seminars for different clients including banks on The Constitution of Kenya, Consumer Protection laws and Central Bank of Kenya Prudential Guidelines.

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## **B. Real Estate/ Property**

- On behalf of a Real Estate Developer, he handled construction and commercial transactions variously involving project structuring, development finance and sale of 62 Holiday Home project units with a value of KShs. 200,000,000/=

## **C. Commercial/ Contract**

- Successfully handled an international commercial transaction involving the transfer of liabilities from one local Firm to an international one in the sum of KSh. 800,000,000/= including redemptions, securitization and registration processes.
- Successfully handled a commercial transaction on behalf of a local bank involving the grant of financial facilities to the bank's client and securitization in the sum of KSh. 1.2 Billion
- Successfully handled a Sharia law compliant commercial transaction on behalf of a local bank involving the grant of financial facilities to the bank's client and securitization in the sum of KSh. 1.226 Billion

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# associates

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▼ **Evelyn .W. Njiru**

Head, Conveyance & Commercial Department

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**E**velyn is currently pursuing her Master of Laws Degree at the University of Nairobi having previously obtained her undergraduate degree in law from the same University and a Postgraduate Diploma in Law from Kenya School of Law. She is also a Commissioner for Oaths. She left her position of Senior Associate at Sachdeva, Nabhan and Swaleh Advocates to join G.M. Gamma. Evelyn's quiet demeanour, self-discipline and integrity continue to be valuable assets in the professional tasks that she performs.

## Significant Achievements

- Lead legal Transaction Advisor for a leading local bank in arranging, drafting and perfection of securities in respect of banking facilities in favour of the bank's client with a value of KSh. 1.150 Billion. This performance earned Evelyn commendation from the bank for her timeliness, detail and efficiency.
- Successfully handled a complex commercial transaction involving the transfer of loan facilities from one bank to another to the tune of KSh. 545,000,000/= including redemptions, securitization and registration processes.
- Team member rendering advisory and transactional services for a public body in the health sector involving placement of comprehensive medical insurance covers for public officers with a value of KSh. 10 Billion.
- Key Team member acting for Real Estate Developers in construction and commercial transactions variously involving project structuring, development finance, incorporation of special purpose vehicles, sale and other disposal of project units, handling of tax issues including obtaining exemptions and registrations for different clients as listed below –

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- a) Private Developer in Kiambu County of 112 units with a value of KSh. 435 Million
  - b) Private Developer in Nairobi City County of 47 units with a value of KSh. 400 Million
  - c) Private Developer in Nairobi City and Kiambu Counties of a luxury golf and residential mini-city with a value of over KSh. 1 Billion
  - d) Savings and Credit Co-operative Society of a leading bank relating to luxury homes in upmarket Nairobi City County of 113 units with a value of KSh. 2 Billion.
- Key Team member that conducted a comprehensive legal audit of a public body in the oil and gas sector with an asset value of KSh.3.39 Billion.
  - Team member in rendering advisory and transactional services to a public body in the health sector involving placement of comprehensive medical insurance covers for public officers with a value of KSh. 10 Billion.



### ▼ Clifford .O. Odhiambo

Head, Litigation and Disputes Resolution  
Department

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Clifford Odhiambo is a graduate in law from Mount Kenya University which he earned with distinction in several subjects. He also holds a Postgraduate Diploma in Law from the Kenya School of Law. Prior to his engagement at G.M. Gamma, Clifford was at Awele Jackson Advocates LLP. His affable disposition, penchant for diligence and quiet persistence has earned him the position of Head of Litigation and Disputes Resolution in the Firm.

#### **Significant Achievements**

- Key research and drafting Team member for the successful Petitioner who had challenged, in the Supreme Court of Kenya, the election of the declared winner of the 2017 Presidential Elections of the Republic of Kenya. This culminated with a historic judgment of that Court which nullified the re-election of the incumbent President and ordered a repeat of those elections. A first of its kind in Africa.
- Key Team member representing the winner of a highly contested Parliamentary seat in the capital city of Nairobi arising from the 2017 General Elections in Kenya. Clifford's Team successfully obtained a judgment in the Court of Appeal that upheld the election of their client. This win was eventually affirmed in a further challenge at the Supreme Court of Kenya.
- Team member representing an international vehicle-manufacturing conglomerate in a legal suit in which the subject of the proceedings was a claim by the international conglomerate that a large number of its motor vehicles had been stolen by known individuals while in the yard. Clifford's Team successfully got orders reversing title back to the client and thereby securing the conglomerate's interests.

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- Team member acting for the National Government in a public-private commercial transaction of multiple-year sale and lease back of equipment with a value of KSh.38 Billion.
  - Team member successfully representing a local bank in a syndicated loan agreement and Multiple Option Facilities commercial transaction with a value of approximately KSh. 800 Million.



▼ **Wairimu Gathogo**

Senior Associate, Legal Advisories & Special projects

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**W**airimu holds a Bachelor of Laws Degree from The Jomo Kenyatta University of Agriculture & Technology, as well as a Post Graduate Diploma in Law from The Kenya School of Law. She is a member of The Law Society of Kenya, East African Law Society, FIDA Kenya as well as The Chartered Institute of Arbitrators.

She has diverse experience from both the public and private sectors. Prior to joining the firm, Wairimu has worked at Dentons Hamilton Harrison & Mathews, Kenya Power and Robson Harris & Co. Advocates.

Her areas of expertise are energy law, labour law, public procurement law, elections law, legal and regulatory compliance, corporate governance and dispute resolution. Her attention to detail, drive for perfection and results-based approach have been an asset in handling the complex nature of transactions within the Corporate and Commercial Department.

**Significant Achievements**

- Part of a team that represented a leading power utility company against a major class action claim in the Employment and Labour Relations Court and incidental negotiations arising from a redundancy exercise of 337 employees and which was successfully concluded after over 13 years in Court.
- Participated in the negotiation of Power Purchase Agreements (PPAs) for the generation of electricity using varied technologies – Hydro, Wind, Solar and Geothermal.

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- Involved in the negotiation of the Fibre Interconnection Agreement between Kenya Power, Safaricom and Liquid Telcom.
  - Assisted in the negotiation of the Financing Agreement and Project Agreement for the Last Mile Connectivity Project Agreement for Euros 90 Million funded by the European Investment Bank.
  - Participated in policy making meetings in the energy sector for revision of the Energy Policy and Public Procurement and Asset Disposal Act.



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# consultants

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▼ **Dr. Freda Mugambi-Githiru**

Lead Consultant

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**D**r Freda Mugambi Githiru is an Advocate of the High Court of Kenya with a wide range of experience spanning 18 years. She holds a Bachelor of Laws degree from Moi University, a Master of Laws Degree in Commercial Law from the University of Birmingham and a Doctor of Laws Degree from the University of Pretoria.

Dr Githiru has over 15 years' experience as a distinguished scholar and legal trainer at undergraduate and post graduate levels, and serves as an examiner at PHD level. Her areas of research are in family law, commercial law and constitutional law in which she has published and presented papers. Dr Githiru has also consulted widely for several local, regional and international institutions in these and other areas.

She is currently the Director in charge of Judicial Education and Curriculum Development at the Kenya Judiciary Training Institute. Prior to joining the Institute, she served as the Director of Examinations at the Council of Legal Education (CLE) and previously as a Lecturer.

Prior to joining the Institute, she served as the first Director of Examinations at the Council of Legal Education after the coming into effect of the Legal Education Act no 27 of 2012 which separated the roles of the Kenya School of Law and CLE. Her sojourn at the regulator was marked by successfully putting in place structures within the Directorate which have served as the foundation for holding credible Bar examinations.

She serves at the firm as the lead consultant.



## ▼ Jane .K. Mugambi

Consultant, Intellectual Property

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Jane Mugambi holds a Master of Laws Degree in Commercial Law from the University of Cape Town, South Africa, a Bachelor of Laws Degree from Moi University and a Postgraduate Diploma in Law from Kenya School of Law.

She has significant experience in Corporate and Commercial law, Intellectual Property law and Civil Litigation in the areas of Constitutional and Election Petitions. She also possesses a keen eye for detailed research and drafting. Where need arises, the Firm calls upon her wise and experienced counsel on a consultative basis.

### **Significant Achievements**

- Represented a leading company in the sugar industry in filing a trade mark infringement and passing-off suit and successfully obtained Anton Pillar Orders and injunction against further infringement.
- Advised and secured trade mark registrations for various clients in Kenya, Tanzania, Uganda, Rwanda and the Democratic Republic of Congo (DRC).
- Advised various clients on trade mark registration under the Madrid agreement and protocol
- Advised and spearheaded anti-counterfeiting investigations for a leading alcoholic brand in Kenya, Tanzania and DRC
- Successfully completed the copyright course sponsored by Harvard Law School and Berkman Klein Center for Internet & Society at Harvard University
- Represented a promising Start Up in raising USD 2,000,000 through issuance of Series A Preference shares to its investors

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# legal assistants

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▼ **Chris .G. Migwi**

Senior Legal Assistant

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**C**hris is an indefatigable, resourceful and respectful budding lawyer who graduated with a law degree from Catholic University of Eastern Africa. He is due to complete his Post-Graduate Diploma in law course at the Kenya School of Law. The Partners in the Firm have continuously been impressed by his astuteness, character and capability. He is presently a Senior Legal Assistant and it is intended that upon his eventual admission to the Bar, he will transform into an Advocate in the Firm. He is in charge of 2 other legal assistants who the Firm calls upon as and when business dictates.

Amongst his notable assignments, Chris was a key member of a Defence Team that successfully represented a client in a criminal case. The client had been accused of fraudulent disposal of a government building in a foreign country. Chris' Team's client was acquitted of any wrong doing and the charges dismissed.

Chris was also a member of a Team that successfully represented the winner of a Governor's seat in a much contested litigation arising from the 2017 General Elections in Kenya. His Team succeeded in the Court of Appeal which upheld the election of their client - the incumbent Governor. This was thereafter affirmed by the Supreme Court of Kenya. He has also been part of different Teams that have succeeded in obtaining favourable decisions relating to procurement matters in the High Court and the Public Procurement Administrative Review Board.



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▼ **Elizabeth .N. Sudi**

Legal Assistant

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**E**lizabeth is an ambitious, dependable and thoughtful law graduate of Moi University, Eldoret. She is awaiting admission to the Bar, having successfully completed her Post-Graduate Diploma course at the Kenya School of Law. The Firm's Partners in recognition of Elizabeth's bright career, consider that she would be a worthwhile addition to the Firm as a fully-fledged Advocate upon her formal entry to the Bar.

She is presently a Legal Assistant. She has shown much value in the client matters that she has undertaken so far heralding a promising potential.

A couple of the matters she has acquitted herself well are in advising, creating, drafting and seeing to the implementation of a Joint Venture Agreement between a Real Estate Developer and a group of formidable landowners in Kajiado. This has led to the ongoing construction, development, sale and lease of a housing project comprising of 720 units with an estimated value of KSh. 1.5 Billion.

The other, saw Elizabeth being a key member in the Team that drafted and filed in Court, a strong claim on behalf their client seeking compensation from the Government of Kenya, for publicly acknowledged deprivation of freedom, torture, loss and frustration of business that the client - who was a very senior public figure in the Country – suffered in the struggle for political and constitutional reforms in Kenya in the 1990s.

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# firm administration



▼ **Irene .N. Omari**  
Firm Administrator

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Irene epitomizes efficiency, timeliness and warmth in her work. She manages the finance, human resources, and support & administration services in the entire Firm. She holds a Diploma in Human Resources from the College of Human Resource Management, Nairobi and a Certificate in Secretarial and Office Management from Tala Secretarial College.

She joined G.M. Gamma with over 6 years' experience that she largely gained in a legal environment. Her previous successful introduction of structured tendering systems, management of supplier and support contracts for office and office equipment, digitization of document and case file management systems, management of Training and Engagements Calendar of all staff, ensures that the Firm operates efficaciously on a day to day basis for the benefit of our clients.

She supervises nine support staff members in the Firm and also manages the financial affairs of the Firm. She is in charge of both the Nairobi and Mombasa offices and co-ordinates her work and indeed all of us at G.M. Gamma LLP quite well.

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# administrative assistants



▼ **Lilac .C. Leting**  
Executive Assistant

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Lilac's supreme organizing habits, charming and discreet nature permeates the environment as she goes about her responsibilities. She displays confidence as she handles the front office operations in support of the rest of the Firm in Nairobi. She also responsibly handles tasks and office documentation for the Partners in Nairobi as Executive Assistant. She is a distinguished Bachelor of Arts Degree holder in Development Studies from Jomo Kenyatta University of Advanced Technology, Nairobi. Earlier, she had successfully obtained a Diploma in Social Work from Moi University, Eldoret which she achieved with consistently high performance.

The Firm engaged Lilac's skills and abilities given her commendable track record in managing people and office affairs. Her last assignment prior to joining G.M. Gamma, was at a medium sized transport and logistics firm in Nairobi where she performed the dual functions of Executive Assistant to the head of the transport company, and, fleet & operations management. As one enters the G.M. Gamma premises, Lilac's welcoming presence assures you, that you and your interests are in trustworthy and capable hands. As you stay on as our esteemed Client, the Team at G.M. Gamma continue to give you confidence in this.



▼ **Major .J. Olumo**

ICT and Digital Manager

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**M**ajor is the technological engine of the Firm. His quiet, patient and detail oriented nature ensures the systems he sets up and maintains in the Firm run efficiently, seamlessly, devoid of loss or interruption. He is a celebrated First Class Honours Bachelor of Science Degree holder in Telecommunications from Strathmore University. In addition, he holds a Certificate in Machine Learning and Data Science from Riara University.

Major has performed as a Google Cloud Associate Engineer. He has also been engaged by several other global ICT institutions including Huawei ICT Academy, Max Plank Research Institute for Software Systems, Germany and NEC Laboratory in Heidelberg, Germany on different assignments relating to ICT and digitization of systems. At G.M. Gamma, we value investment in modern equipment, adopt use of safe and secure technology that enables the Team communicate with ease and efficiency with the client. Major's work in the Firm continues to ensure these are ably observed and maintained.

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our

# areas of expertise

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## Alternative Dispute Resolution

Our experienced lawyers continue to be the guiding light in a variety of alternative dispute resolution processes, practices, and techniques. These include Negotiation, Mediation, Adjudication and Arbitration (two highlighted below). In appropriate circumstances, we acknowledge that settlement through ADR is worth pursuing before investing time and money in full blown civil litigation.

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## Arbitration

Arbitration is a proceeding in which a dispute is resolved by an impartial intermediary chosen by the parties who agree to abide by the Arbitrator's award or decision. Arbitration resembles traditional civil litigation in that a neutral intermediary hears the disputant's arguments and imposes a final and binding decision that is enforceable by the courts.

Our Team consists of highly competent Arbitrators who provide their services with utmost diligence, integrity and professionalism. We have successfully handled several arbitration matters and continue to represent various individuals and corporate clients in many other ongoing arbitration matters.





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## **Banking & Financial Law**

The Firm brings together a Team of advocates who possess a good record in Banking and Financial law. Our considerable experience in these broad fields include securitizations, handling and advising on Charges, Debentures, Grant of Facilities Agreements (Syndicated and other loans) and training our clients on various legal aspects in the running of their business

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## **Capital Markets**

Our Firm possesses competitive proficiency in handling matters related to Capital Markets for Regulators, individuals, institutions, local and international investors. The Capital Markets Authority deals with the purchase and selling of equity and debt instruments. It also channels savings and investments between suppliers of capital such as retail investors and institutional investors, and users of capital like businesses, government and individuals.

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## **Competition & International Trade Law**

The global business environment is modelled along competition law which permeates various business fields. Kenya is a member of the World Trade Organization, Common Market of Eastern and Southern Africa (COMESA), the East Africa Community (EAC) trading blocs among other international trade and economic alliances. The Firm has the necessary expertise to handle and advise on laws, regulations and guidelines governing these international unions.

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## **Contract Law**

The contract, being an agreement with varying detail and complexity, forms the basis on which any work is carried out – both locally and internationally. Free exchange in the market place at every level is the back bone of the modern day business world. Our Team of lawyers purposes to comprehend the clients’ needs to ensure that they inform an exhaustive analysis and all-inclusive legal advice in any contractual negotiation to protect our clients’ interests and meet their objectives.

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## **Corporate Governance, Legal & Compliance Audits**

The Kenyan legal and regulatory regime requires companies and state corporations to be fully compliant with their laws and regulations, failure to which the entity’s officials may be exposed to both civil and criminal liability.

Corporate Governance Law mandates publicly listed companies and state corporations to undertake governance audits every year. In undertaking these audits, our Team of experts evaluates the composition, policies and operations of the Board of Directors and Management and weighs them against the law, guidelines and international best practices to gauge the level of compliance. We render services in development of compliance monitoring tools; training of Boards of Directors and advice Corporation/Company Secretaries on their roles in assisting the Board of Directors.

On legal and compliance audits, our Team of experienced lawyers assists state corporations and private companies to comply, by undertaking comprehensive legal audits every two years as required by law. We interrogate our client’s systems, structures and documentation and thereafter advice on the nature and extent of compliance. We assist in the establishment of legal compliance systems, train clients’ staff members on legal compliance, prepare monitoring and evaluation tools among others.

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Overall, we ensure that ethical and effective governance of business entities is tracked which contributes significantly to optimal performance of the client's institution.

#### **Constitutional & Administrative Law**

The Constitution of Kenya is the supreme law of the land, which provides the legal framework and values requisite for social cohesion. Kenya promulgated a new Constitution in 2010 which has seen citizens become increasingly aware of their rights and can easily access Courts.

Our legal experts have represented both corporate and individual clients in various petitions including reviewing the constitutionality of regulations and challenging the conformity of Laws with the Constitution of Kenya in a bid to defend the client's legal rights and interests. We also render advice to clients to ensure that their acts are in conformity with the Constitution and Administrative law requirements.

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**Elections Law** undergoing intense growth in the last two decades, disputes relating to elections are becoming more common and fiercely contested. We are adequately experienced in this area and tackle the complexities of lodging and arguing election petitions. We handle these matters in strict observance of ethical and professional conduct.

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#### **Insurance Law**

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The Firm brings together a Team of advocates who have vast experience in insurance law both in litigious and non-litigious matters. We are well equipped with the knowledge and experience necessary to understand the unique environment in the insurance industry and undertake what is required to protect our clients' best interests.

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## Energy Law

Our Team of lawyers has a thorough understanding of the commercial and technical aspect of the energy sector necessary to guide clients through transactions, regulatory compliance and proceedings, environmental issues, financing, renewables and sustainable development, litigation and dispute resolution. These include the Electricity, Oil and Gas sub-sectors. They have advised leading state corporations and private sector players and have a global understanding of the discipline on a broad spectrum.

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## Environmental Law

### The Constitution and the Environment and Land

Court Act No.19 Of 2011 established the Environment and Land Court division of the High Court which is a specialized Court having jurisdiction to hear and determine matters on land and the environment. This has ultimately resulted in the expeditious determination of matters affecting land and the environment.

In addition to the Environment and Land Court, our Team of experts has successfully represented various clients before the National Environmental Tribunal. We are also competent in advising and imparting training on non-contentious environment and land law related matters.

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## Family Law

The family is the central unit in the Kenyan society and family law defines and protects the rights of every member of the family. Branches of family law that we delve in include succession, children and divorce matters. Our advocates have a special place in their heart for the family and they are zealous in ensuring that rights and interests are protected and upheld.

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## Intellectual Property Law

We offer professional legal advisory services on all aspects of Intellectual Property Law including IP litigation, trade secrets, registration of patents, copyrights, trademarks and industrial designs, IP related licensing and user agreements.

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## Labour & Employment Labour Institutions Act No.12 of 2007, Labour Law Relations Act No.14 of 2007, Occupational Safe-

In Kenya, the Employment Act No.1 of 2007, ty & Health Act No.15 of 2007 and Work Injury Benefits Act No.13 of 2007 legally establish the employer-employee relationship. This is in conformity to the demands of the International Labour Organization's standards as well as local demands from enlightened employees and employers seeking to have their rights maintained. Our Advocates have excelled in representing both individual and corporate clients in ensuring that their rights are respected and upheld including establishing plausible employment policies to govern their relations

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## Mediation

Mediation is a rapidly growing Alternative Dispute Resolution technique. It consists of assisted negotiations in which the disputants agree to enlist the help of a neutral intermediary, whose job it is to facilitate a voluntary, mutually acceptable settlement. Mediators lack the power to impose a decision on the parties if they fail to reach an agreement on their own. Within our Team of lawyers are registered Mediators and we also serve as competent representatives of clients involved in Mediation proceedings.

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## Mining, Oil & Gas Law

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The Team advises various companies in the Mining and Extractives sector including regulatory and compliance matters, mining rights, titles, royalties, taxation and transfer pricing, environmental and social issues, financing (capital raising), lobbying, mining rights transfers, concessions, mining related ADR and litigation.

Our services are offered in the complete structure from, up-stream, through midstream to downstream Oil and Gas sector.

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### **Public Procurement Law**

The Firm provides advisory services not only on Kenyan Public Procurement Law but also on the international general and institution specific procurement laws and guidelines. Our services include advisory support on procurement processes and regulatory aspect thereon, representation at the Public Procurement Administrative Review Board as well as government procurement litigation matters. G.M Gamma has had the unique advantage of having a Team of Advocates who have represented various state corporations and private companies in procurement matters giving the Firm a better understanding of all the concerns taken into account by the respective parties to a procurement process in this competitive and often litigious field.

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### **Real Estate Law**

Our Team of lawyers is experienced in property and conveyancing law to expertly guide our clients on pertinent steps of any real estate or property transaction.. These services include advising on raising and structuring of development financing, licensing and permits, taxation, sales, purchases, fractional ownership, tenant purchase, leasing, structuring of joint ventures and transfers.



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# conclusion

G.M. Gamma Advocates LLP welcomes the opportunity to serve you with professionalism, in an environment of trust, confident in the knowledge that your interests are secure to enable you conduct your affairs comfortably and without undue anxiety.

We will be pleased to address any query or offer any further information through a visit at either of our Offices, or, any of the contact addresses and numbers in this Firm Profile.



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