

KARIUKI MUIGUA & CO
ADVOCATES

COMMISSIONER FOR OATHS & NOTARIES PUBLIC

COMPANY PROFILE



Dr. KARIUKI MUIGUA



Dr. KARIUKI MUIGUA



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Accolades & Awards For Kariuki Muigua & Co. Advocates

Dr. Kariuki Muigua elected unopposed as the African CIArb Trustee (2020) responsible for promoting ADR and Arbitration Practice in Africa.

Kariuki Muigua & Co. Advocates Managing Partner Dr. Kariuki Muigua has been recognized and recommended severally by the World's Leading Legal Directory, Chambers & Partners:

"Dr. Kariuki Muigua has an astute understanding of arbitration and is respected for litigation that touches on commercial, constitutional and environmental law," Chambers & Partners.

"Dr. Kariuki Muigua is "at the forefront of arbitration and has written a number of books on arbitration referred to by courts and judges," Chambers & Partners.

"Dr. Kariuki Muigua is also noted to be "very active in the Chartered Institute of Arbitrators." Chambers & Partners.

"Dr. Kariuki Muigua is 'a highly respected arbitrator and mediator with a sterling background in commercial and constitutional cases, as well as matters relating to the environment and natural resources," Chambers & Partners.

Dr. Kariuki Muigua "is held in high regard by market commentators for his role in the Kenyan arbitration sphere. He possesses stellar experience in commercial and constitutional disputes, as well as environmental matters and those relating to the extractive industries," Chambers & Partners.

"Dr. David Kariuki Muigua is a distinguished and highly regarded Arbitrator and an accomplished Mediator," The LAWYER



Mission Vision Goal



Our Mission

To offer high quality legal services to our clients in a personalized, efficient, timely and cost-effective manner while tending to our professional duty as advocates in the public interest.

Our Vision

To be a leading law firm in terms of quality of service and client satisfaction in the country (Kenya) and globally.

Our Goal

At KM & CO, we take pride in offering unparalleled personalized attention to our diverse clientele.

About

*Kariuki Muigua & Co.
Advocates*

We are a Recognized Top-Tier Kenyan full-service law firm situated at the heart of Nairobi city in Kenya. We have a well-earned reputation for offering a full range of quality legal services to domestic and international clients.





About cont...

At KM & CO, we take pride in offering personalized attention to our diverse clientele. In our legal practice, we aspire to offer the most efficient and cost-effective legal solutions that meet our esteemed clients' needs in a timely and competent manner.

We are open for consultations with our clients worldwide and our lawyers are on standby around the clock to cover diverse time zones that impact on our global clients. The firm's clients include leading national, regional and global businesses.

The firm was founded in 1993 by the Senior Partner Dr. Kariuki Muigua, PhD. Today, the firm is ranked as one of the leading Dispute Resolution Law Firms in Kenya. Our Senior Partner is recognized as a Leader in Arbitration, Litigation and Mediation.

We are based in the Central Business District of Nairobi at the Pioneer Assurance House located opposite 7th August Bomb Blast Memorial Park. This gives our clients the convenience of proximity to major financial, commercial and governmental institutions.

Our legal practice is also cross border and international supported by partnerships and best friend law firms across multiple jurisdictions. We have collaborations with reputable firms in Africa, the Middle East, Asia and Europe..

Kariuki Muigua & Co. Advocates Managing Partner, Dr. Kariuki Muigua was nominated as the ADR Practitioner of the Year 2021 (Nairobi Legal Awards)

Dr. Kariuki Muigua, PhD was recently named as a Top Arbitrator in Africa in 2021 by THE ARBITRATOR AFRICA website.

1993
Company
Established

5,000+
Projects
Done

25+
Lawyers
& Team

1,000+
Happy
Clients



Practice Areas

We are a Recognized Top-Tier Kenyan full-service law firm situated at the heart of Nairobi city in Kenya. We have a well-earned reputation for offering a full range of quality legal services to domestic and international clients.

- Corporate and Commercial Law,
- Property and Conveyancing Law,
- Civil, Commercial, Constitutional and Judicial Review Litigation,
- Arbitration & Alternative Dispute Resolution (ADR),
- Environmental and Planning Law,
- Intellectual Property Law,
- Banking and Financial Services Law,
- Energy, Natural Resources, Oil & Gas Law
- Aviation, Shipping, Transport & Logistics Law
- Information, Communication and Technology Law.

CORPORATE AND COMMERCIAL LAW

We offer diverse corporate and commercial law services to our clients including:

- Incorporation and registration of local and foreign companies and business names
- Private and public company commercial work including undertaking due diligence, share sales and transfers and asset sales, joint ventures and franchising agreement.
- Advising financial institutions including banks, micro-finance institutions, insurance companies, telecommunications and Export Processing Companies on licensing and regulation requirements in Kenya.
- Transfer of businesses and ownership, mergers and acquisitions including dealing with general regulatory and compliance matters and Capital Markets Authority regulations.
- Handling Partnership agreements, trusts and estates.
- Acting for receivers of companies and representing parties interested in liquidations.
- Advising investors, both local and foreign, on investments in Kenya including investments under Export Processing Zones.
- Acting for both management teams and financiers in management buy-out and buy-in transactions.
- Advising corporate clients on Kenyan and regional competition and monopolies law.
- Undertaking corporate reporting and regulatory compliance services for leading companies in Kenya and the East African Region.
- Advising on labour matters including terms and conditions of employment, lay-off and termination of employment;
- Preparing and reviewing security documentation including debentures, chattels mortgages, charges and lender agreements for loans and other financial commitments;
- Preparing commercial agreements including sales agreements, general contracts, marketing and distribution agreements among others;
- Advising on corporate restructuring, equity and finance including mergers and acquisitions and transfer of business and ownership.
- Assisting in tax law compliance and advising on tax matters.
- Ensuring compliance with Kenyan ICT law on behalf clients in the Information, Communication and Technology sectors.
- Advising on matters of Corporate Social Responsibility and ISO certification for our corporate clients.

PROPERTY AND CONVEYANCING LAW

Our practice in property law matters entails assisting in all aspects of land and property acquisition, management and disposal. In that regard, the various services we undertake for our clients include:

- Drawing and negotiating property-related contracts and transfers;
- Drafting, executing and lodging leases, easements, licenses and Rights of Access;
- Drawing charges, discharges of charges, mortgages and reconveyances;
- Assisting in sub-divisions, changes of user, extension of Government Leases, Rectification of Titles;
- Obtaining of the necessary consents for land transactions and development;
- Paying of land rent and rates on behalf of clients and obtaining clearances;
- Undertaking searches and due diligence on property and land in Kenya and elsewhere around the world
- Applying for and lodging caveats, cautions and prohibitions to protect client's interests;

- Drawing and advising on Powers of Attorney;
- Forming Trusts and drawing trust deeds relating to land and property;
- Assisting in probate and administration of estates of deceased persons;
- Advising clients generally on all aspects of land and property law;

DISPUTE RESOLUTION PRACTICE

KM&CO has over time distinguished itself as a leading litigation practice in the areas of civil law, commercial law, constitutional law, administration law and land and environmental law. We offer the following litigation services to our clients:

- Representation in security recovery, mortgage realization and debt collection matters.
- Assisting in conveyancing suits and property litigation.
- Advising on proceedings concerning winding-up of companies.
- Executing foreign judgements, grants and arbitration awards. Litigating shareholder rights disputes.

- Prosecuting intellectual property rights infringements and passing off claims.
- Assisting in Employment, workmen's compensation and trade-unions litigation.
- Representing clients in anti-corruption claims and enforcement of land titles
- Representing clients in administrative proceedings including Business Premises Rent Tribunal and National Environment Tribunal.
- Acting in Media law matters including defamation claims
- Representing clients in partnership and general corporate disputes.
- Acting in professional and general negligence claims and insurance matters.
- Acting for clients in constitutional applications and enforcement proceedings.
- Mounting and defending judicial review proceedings.
- Acting in local and international arbitral proceedings and negotiations

ALTERNATIVE DISPUTE RESOLUTION

Our lawyers have extensive exposure and training in Alternative Dispute Resolution and are members of, among others, the Chartered Institute of Arbitrators (CI Arb) (K) and London Court of International Arbitration (LCIA).

We frequently assist our clients in arbitration and Alternative Dispute Resolution (ADR) processes including Negotiation, Mediation and Adjudication.

We advise our clients on the options available in the Alternative Dispute Resolution system and the best approach and strategy to adopt to achieve the desired need.

Equally, we offer mediation services and conduct arbitral proceedings on matters that are referred to us either by parties themselves or by any other appointing authority.

We also advise and represent clients in International Courts and Tribunals and practice Negotiation, Mediation and Arbitration across jurisdictions in collaboration with lawyers who are knowledgeable in ADR.

Banking and Financial Services Law
We advise businesses in the financial services sector on how to navigate the increasingly challenging regulatory environment, rules and regulators.

We provide practical cost-effective

advice on a wide range of banking and finance specific services, helping our clients navigate the pitfalls and organize their businesses for greater commercial success.

We are available to advise and represent banks, SACCOs, Microfinances, building societies, digital lenders, fintech startups and corporate and individual borrowers on all aspects of lending transactions and related issues.

INTELLECTUAL PROPERTY LAW

We handle an array of intellectual property matters including advising on protection, due diligence, registration, renewal, licensing and maintenance of trademarks, inventions, utility models, industrial designs with the Kenya Intellectual Property Institute (KIPI) and ARIPO on behalf of our clients.

The firm has also negotiated settlements and arbitrated intellectual property disputes and advised on infringement of rights.

ENVIRONMENTAL AND PLANNING LAW

We advise our clients on environmental law, Planning and regulation compliance in light of the Constitution of Kenya 2010, Environmental Management and Coordination Act, 1999, Land and Physical Planning Act and

other sectoral laws and policies relating to the environment, international conventions and treaties. In particular, we advise on environmental planning, Environmental Impact Assessment (EIA), Environmental Audit and drafting of environmental regulations.

We also advise our corporate clients and state agencies on natural resource conflicts and natural resource conflicts resolution.

AVIATION, SHIPPING, TRANSPORT AND LOGISTICS LAW

We have extensive experience in advising and representing clients in aviation, shipping, rail, road, transport, warehousing, tour, travel and logistics sector on transactions, regulation, licensing, financing, asset finance, regulation, insurance, labour matters, structuring, immigration and cross-border legal issues.

We advise aviation, transport and logistics workers and their unions and organizations, vessel and aircraft owners, tours and travel operators, rail operators, lessors, lessees, banks, insurers and other financial institutions on domestic and international transactions and disputes.

INFORMATION, COMMUNICATION AND TECHNOLOGY LAW

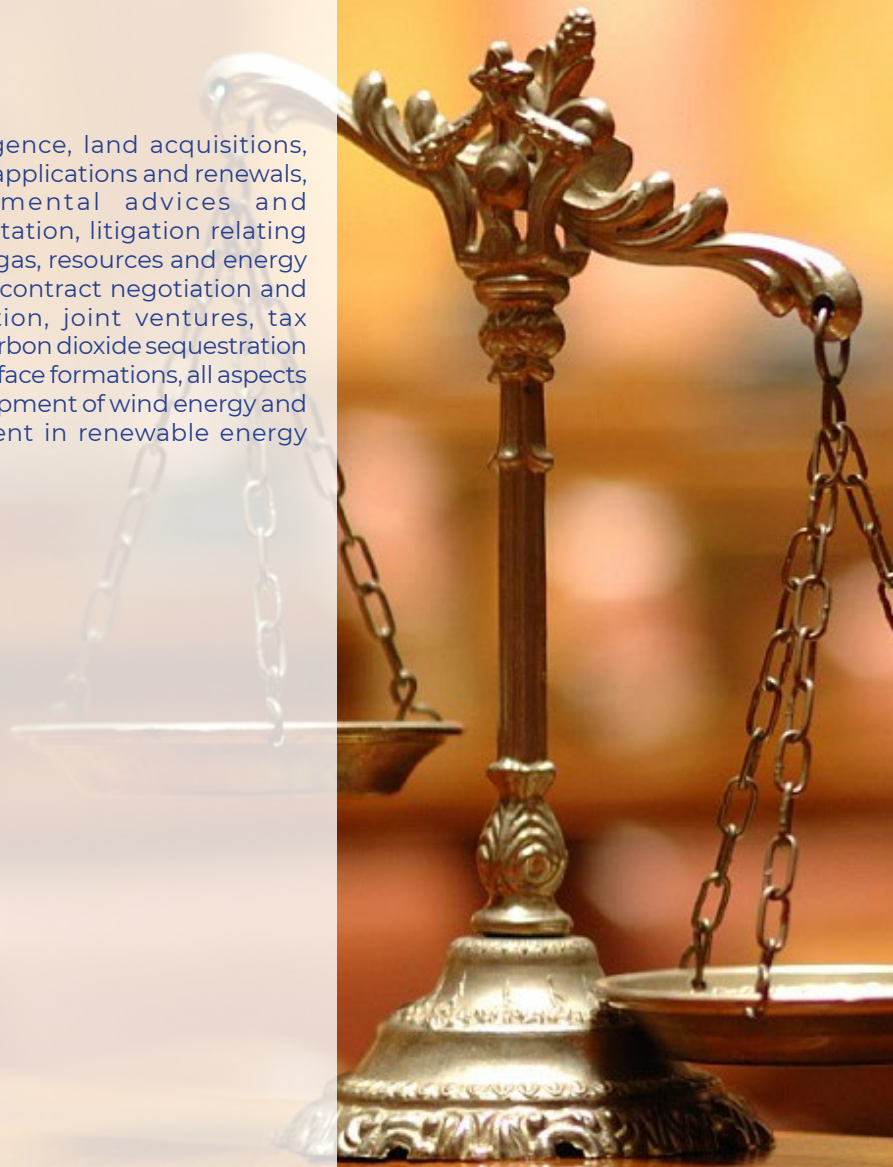
We focus on technology, media and telecoms industries and advise and represent internet users, computers services providers, data services companies, telecoms providers and e-commerce companies among others on cyber security, data protection, e-commerce regulations compliances, privacy protection, legal implications of electronic transactions and payments, online contracting, related intellectual property right, online/domain trademark infringement and disputes and cybercrimes among others.

ENERGY, NATURAL RESOURCES, OIL AND GAS LAW

Our firm represents a number of companies in the energy and petroleum sector and the Senior Partner is a renowned Environmental and Natural Resources Lawyer and Scholar who has undertaken consultancies and written widely on the law and regulation of the sector.

The firm also has expertise in oil and gas law, renewables and climate change areas. We represent clients, give legal opinions and advise on related administrative proceedings, asset and corporate acquisitions and sales including

due diligence, land acquisitions, licenses applications and renewals, environmental advices and representation, litigation relating to all oil, gas, resources and energy matters, contract negotiation and preparation, joint ventures, tax issues, carbon dioxide sequestration in subsurface formations, all aspects of development of wind energy and investment in renewable energy projects.



2ND ANNUAL LECTURE
PROMOTING SPORTS
ARBITRATION
IN AFRICA

ORGANISED BY
CHARTERED INSTITUTE OF
ARBITRATORS, KENYA



Legal Team



Dr. Kariuki Muigua, PhD

Managing Partner

Dr. Kariuki Muigua, PhD is an Advocate of the High Court of Kenya of over 30 years standing, a well-known expert in corporate and commercial law, a Fellow of Institute of Certified Secretaries and has enviable experience in corporate governance as a Certified Public Secretary (CPS), a recognized top-tier practitioner and leader in Dispute Resolution as a Chartered arbitrator and an accomplished media and one of Africa's most distinguished legal scholars in Environmental Law and Dispute Resolution who has published and consulted extensively in the area. According to Chambers Global Guide 2021, the Managing Partner of Kariuki Muigua & Company Advocates "Dr. Kariuki Muigua has an astute understanding of arbitration and is respected for litigation that touches on commercial, constitutional and environmental law."

As an Advocate, Dr. Muigua has over 26 years practicing at Kariuki Muigua & Co. Advocates and specializing in commercial law, environmental law and natural resources research and practice, ADR, constitutional law and commercial law litigation. He has widespread experience advising and representing clients including investors in property and real-estate development especially in environmental, physical and development planning and control, retail and fast moving consumer goods (FMCG) having represented some of Kenya's top retail and supermarket chains, oil and gas and energy sector having acted for leading petroleum importers and distributors in the region and government contracting and infrastructure and extractives projects as advisor to key players in the sector.

Dr. Kariuki Muigua is one of Kenya's most experience and most learned Environmental Lawyers. He holds a Ph.D in Environmental Law from the University of Nairobi School of Law and Centre for Advanced Studies in Environmental Law and Policy (CASELAP).

He is an accredited EIA/EA lead expert by the National Environmental Management Authority of Kenya (NEMA) and Lead Consultant and Expert at Pristine Consultants, the sister Environmental Law and Policy Consultancy firm of KM&CO. He has served as a Member of the National Environment Tribunal, the lead statutory adjudication

body for environmental disputes in Kenya, from 2017 as Nominee of the Law Society of Kenya. In addition, Dr. Kariuki Muigua has handled numerous Environmental Law, Planning and Natural Resources Disputes as Party Representative, Mediator and Arbitrator.

Dr. Kariuki Muigua is a leading Alternative Dispute Resolution (ADR) practitioner in Kenya, Africa and the world at large. He is a renowned arbitrator and has been appointed by the Chartered Institute of Arbitrators (CI Arb)-Kenya, the Law Society of Kenya (LSK), the Nairobi Centre for International Arbitration (NCIA), the London Court of International Arbitration (LCIA) and the International Court of Arbitration under the auspices of the International Chamber of Commerce (ICC) on several occasions as a sole arbitrator and a member of arbitral tribunals in arbitrations involving commercial disputes. He has vast experience and expertise in adjudication and has sat as both a panel member and a chairperson in various adjudication Boards both locally and internationally.

In September 2021, Dr. Kariuki Muigua was nominated the Alternative Dispute Resolution (ADR) Practitioner of the Year 2021 (Nairobi Legal Awards). He is recognized for his excellence in practice as an arbitrator, adjudicator, mediator and negotiator as well as an ADR scholar and prolific writer of the leading ADR textbooks and practice guides and hundreds of articles and papers in arbitration, mediation,

adjudication, negotiation and conflict management. Dr. Muigua is also being recognized for his pivotal role in spearheading thought leadership in ADR in Kenya as the Editor in Chief of the Alternative Dispute Resolution Journal of the Chartered Institute of Arbitrators (Kenya Branch).

In addition, Dr. Muigua is an accomplished mediator and has successfully presided over numerous matters both as a private mediator and a court appointed mediator under the Court-Annexed Mediation program in Kenya. Dr. Muigua was Accredited/Certified as a Professional Mediator by the Mediation Training Institute (International) (MTI) in 2015. His doctorate research was in the area of Mediation as a way of resolving environmental conflict and he wrote, completed and successfully defended his PhD Thesis on the title: "Resolving Environmental Conflicts in Kenya through Mediation" at the University of Nairobi on 02/12/2011 focusing on the areas of Public Participation, Mediation and Environmental Democracy.

Dr. Muigua is a member of leading national, regional and international professional bodies. He is a Fellow of Chartered Institute of Arbitrators (CI Arb)-Kenya chapter. He is a Member of the Chartered Institute of Arbitrators, London Court of International Arbitration (LCIA) (2002), Mediation Accreditation Committee Panel of Mediators Accredited for Commercial Mediation (The Judiciary, Republic of Kenya), Kigali International

Arbitration Centre (KIAC) International Panel of arbitrators, Nairobi Centre for International Arbitration (NCIA) Panel of International Arbitrators, Nairobi Centre for International Arbitration (NCIA) Panel of Domestic Arbitrators and Nairobi Centre for International Arbitration (NCIA) Panel of Domestic Mediators. He is also a Member of Law Society of Kenya (LSK) as an Advocate and Fellow of the Institute of Certified Secretaries (ICS) as a Certified Public Secretary (CPS).

Dr. Kariuki Muigua is recognized nationally and globally by the Chambers and Partners rating him as one of the best dispute resolvers as an arbitrator and mediator in Kenya. In the most recent Ranking, he was described as 'a highly respected arbitrator and mediator with a sterling background in commercial and constitutional cases, as well as matters relating to the environment and natural resources.' It adds that: "Kariuki Muigua of Kariuki Muigua & Co is held in high regard by market commentators for his role in the Kenyan arbitration sphere. He possesses stellar experience in commercial and constitutional disputes, as well as environmental matters and those relating to the extractive industries." In addition, he has been described as being "at the forefront of arbitration and has written a number of books on arbitration referred to by courts and judges." He is also noted to be "very active in the Chartered Institute of Arbitrators."



James Ndungu Njuguna

Practice Manager

James Ndungu Njuguna is an Advocate of the High Court of Kenya. James has been with Kariuki Muigua & Company Advocates since 2002 and is the Firm's Practice Manager.

He holds Master of Laws (LL.M) in Environmental Law from the University of Nairobi, Bachelor of Laws (LL.B), Diploma in Law from Kenya School of Law, Diploma in Business Management from Kenya Institute of Management (KIM), Diploma, Legal Executive Program, ILEX (UK), Diploma in Legal Studies from Kenya School of Professional Studies (KSPS) and is a Certified Professional Mediator by Mediation Training Institute of East Africa (MTI).

James is a Member of Chartered Institute of Arbitrators and has attended numerous courses and seminars in Management, Corporate Governance, Project Management,

Conflict Management and Dispute Resolution organized by the Institute of Certified Public Secretaries of Kenya (ICPSK) and Chartered Institute of Arbitrators. He is also an accomplished mediator and counselor who offers volunteer services to the public through various organizations including "Worldwide Gospel Church of Kenya", a church organization.

He is a Member of the Law Society of Kenya (LSK), Chartered Institute of Arbitrators (Kenya Branch) and Kenya Institute of Management (KIM). As an Advocate, James specializes in commercial law, conveyancing law and civil litigation. He constantly engages in preparation and perusal of security documents such as debentures, charges, mortgages and general agreements.

He undertakes research and drafts opinions on diverse aspects of commercial law, corporate law and media law including defamation. He spearheads conveyancing transactions and documentation on behalf of our clients.

He drafts, executes and registers commercial agreements and other instruments; and is active in aiding our clients in complying with the various laws and regulations affecting them either as individuals or entities.

James is also a specialist in commercial and conveyancing litigation, debt recovery, accidents claims, workmen's compensation claims, employment disputes, general negligence and liability matters, building contracts, insurance claims,

constitutional applications, judicial reviews, defamation, arbitration and adjudication, and securities realization and many others. He has acted in numerous significant arbitrations as arbitrator assistant and as party representative. He also handles probate and administration matters. James assists the Managing Partner in the day to day Management of the Kariuki Muigua & Co. Advocates team in delivering to the firm's client.

Lawyers

- *Jack Shivugu*
- *David Muriuki*
- *Timothy Kamau Njenga*
- *Jotham Alvine Makanga Webo*
- *Mwati Muriithi*

Consultants

- *Dr. Robert Kibugi*
- *Naomi Nyawira Njuguna*

Professional Support Team



Anne Wairimu
Head of ICT & Administration

Anne joined Kariuki Muigua & Company Advocates as an Administrative Secretary in 2007.

She has 20 years' experience in legal secretarial and administration having held the same position in other leading law firms from 2000.

She has since risen through the ranks and assumed increased responsibilities at KM&CO. Today, she is a member of the firm's management staff and in-charge of Information, Communication and Technology (ICT) at Kariuki Muigua & Co. Advocates.

Anne ensures that the firm adapts to recent and effective IT technologies and infrastructure in liaison with the firm's lawyers.

Anne holds Bachelor in Business Information and Technology (First Class Honours) and a Diploma in Business Information and Technology, both at St Paul's University.

She has undertaken numerous courses in IT including CompTIA A+ and Network+ as well as various ICPSK Management Modules to improve administrative output.

She has also taken various Chartered Institute of Arbitrators (CIArb) Course on Arbitration and Dispute Resolution to qualify as Associate Member of the Institute and is a Certified Professional Mediator (MTI). Anne also has a certificate in Management and Public Relations.

Support Team

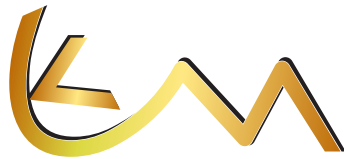
- *Kelvin Kasyoki*
- *Victor Makau*

Clients

Kariuki Muigua & Co. Advocates enjoys the privilege of advising a diverse clientele ranging from private persons and Small and Medium Enterprises (SMEs) to transnational corporations (TNCs), governmental agencies, local and international non-governmental institutions.

As a consequence, KM & CO. lawyers possess wide and all-round experience in the provision of legal services in the firm's areas of specialization.





KARIUKI MUIGUA & CO
ADVOCATES

COMMISSIONER FOR OATHS & NOTARIES PUBLIC

Office Address & Contacts

Kariuki Muigua & Co. Advocates has ensured there is a Lawyer on call 24 hours a day to deal with our global clientele across several time zones.

Head Office Address:

Kariuki Muigua & Co. Advocates,
Pioneer Assurance House, 3rd Floor, Room 306, Moi Ave,
Opposite 7th August Bomb Blast Memorial Park
P.O. Box 3259-00200 Nairobi, Kenya
Phone: 020-2210 281 / 020-2245 676

Email: admin@kmco.co.ke | Website: www.kmco.co.ke

