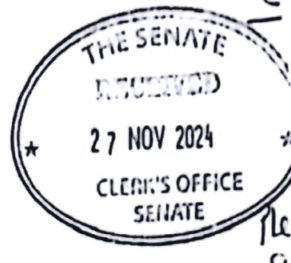


The Clerk of the Senate
Parliament Buildings
P.O. Box 41842 - 00100
NAIROBI.
Email: clerk.senate@parliament.go.ke



RE: PETITION TO THE SENATE CONCERNING FAILURE BY THE MANAGING DIRECTOR OF KENYA BREWERIES LIMITED, COMPANY SECRETARY, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION TO LAWRENCE NDUTTU & 125 OTHERS AWARDED IN LAWRENCE NDUTTU & 6000 OTHERS VS KENYA BREWERIES & ANOTHER (HC Ct. 279 OF 2003)

We, the undersigned.

Citizens of the Republic of Kenya, former employees of Kenya Breweries Limited and residents of Nairobi County.

Draw the attention of the Senate to the following: -

1. THAT, we were dismissed from employment in violation of the memorandum of agreement we signed with the company.
2. THAT, we filed a petition in court in 2003, referred to as Lawrence Nduttu & 125 Others Vs Kenya Breweries Limited & Another (HC Ct. 279 of 2003)
3. THAT, we submit this petition on behalf of 125 individuals represented by the law firm Harrison Kinyanjui & Co. Advocates in the aforementioned case.
4. THAT, Lawrence Nduttu, along with 6,000 others, filed a representative suit on behalf of former employees of Kenya Breweries Ltd whose terms and conditions of employment were governed by a memorandum of agreement dated 5th December, 1997, and 29th July, 1999. Their contracts were impacted by the company's re-engineering process that began in 1994.
5. THAT, the claimants, Lawrence Nduttu and 6,000 others, were represented by three law firms: J. Harrison Kinyanjui & Company Advocates, Namada & Company Advocates, and O.P. Ngoge & Company Advocates.
6. THAT, on 24th January, 2018, Hon Justice Serگون delivered a judgment in favour of Lawrence Nduttu and 6000 other people. The judgement stated as follows:
 - a. The decision to cause the plaintiffs to take early retirement was unlawful and in breach of the constitution and the plaintiff's agreement of employment.
 - b. The defendant pays each of the plaintiffs damages for loss of employment amounting to one (1) month's salary as at the time of termination of employment.



(2) NW. Chaniz (0000000000)

ps press. This matter has been filed before.

28/11/2024

(1) DLPs

Please deal

27/11/2024

PETITION TO THE SENATE CONCERNING FAILURE BY THE MANAGING DIRECTOR OF KENYA BREWERIES LIMITED, COMPANY SECRETARY, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION TO LAWRENCE NDUTTU & 125 OTHERS AWARDED IN LAWRENCE NDUTTU & 6000 OTHERS VS KENYA BREWERIES & ANOTHER HCCC, 279 OF 2023

& Company Advocates forwarded a signed consent to Kaplan & Stratton Advocates without the petitioners' authority or knowledge.

13. THAT, K.B.L, Kaplan & Stratton and Harrison Kinyanjui Advocates have failed to pay interest up to 31st January 2022 of 4,350,771.35 as awarded by the Court but instead paid up to November and damages for loss of employment a sum equivalent to one (1) month's salary as at the time of termination of employment as awarded by the Court


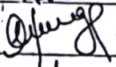

14. THAT, we have made efforts to have the matter addressed by the Advocates Complaints Commission but the response was unsatisfactory.

15. THAT, none of the issues raised in this petition is pending in any court of law, constitutional, or any other legal body.


WHEREFORE, your humble petitioners pray that the Senate-

1. Investigates the matter with a view to recommending that the outstanding dues for the Petitioners are settled; and
2. Investigates the matter, address and make recommendation on actions of commission or omission on the part of the advocates for the Petitioners.

Dated this day of 2024

NAME	FULL ADDRESS	NATIONAL ID NO.	TELEPHONE NO.	SIGNATURE
Lawrence Nduttu	P.O. Box 199-90100 Machakos	1454305	0731 972 881	
George Njigu	P.O. Box 55-10205 Marigwa	10567956	0721 366 226	
James Suiyalel	P.O. Box 262 00502 Nairobi	6849078	0791 181 132	

Counter signed by Senator..... Senator for County.


Sen. Julius Recha Murgor
Senator for West Pokot County