

Aluochier Dispute Resolution

Arbitral Institution | Arbitration | Mediation

P O Box 436-40404, Rongo, Kenya
Telephone: +254 114 712433
info@aluochier.co.ke | www.aluochier.co.ke
Registration No: BN-BGCLBG7
Proprietor: Serveyah Limited
KRA PIN: P052390407R

9th September, 2025

1. **Bima Shekameta Bhai, Uriri Sub-County, Migori County. Telephone: 0724044025 / 0751199990.**
2. **M/s Tom Mboya & Co. Advocates, Safaricom House, 2nd Floor, P O Box 1255-40400, Suna-Migori. Email: tommboyaadvocates@gmail.com. (For all the Respondents)**

Dear Parties

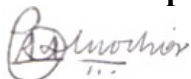
CASE NUMBER 002 OF 2025: BIMA SHEKAMETA BHAI v PETER OKOTH, PATRICK OKELLO, CALLEB ODHIAMBO, DAVID YAGO, REINHARD BONKE, JAMES ONYANGO, JOHN OTIENO & DEMINAH OGWARI
RESPONDENTS' RESPONSE

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Find attached the Respondents' Response sent by their counsel.

Directions on the same to be given at the Preliminary Meeting scheduled for tomorrow 10th September, 2025 at 2:15pm on Google Meet at <https://meet.google.com/mbx-iavo-yqw>.

Yours faithfully
For and on behalf of
Aluochier Dispute Resolution



Isaac Aluochier
Chief Executive

REPUBLIC OF KENYA

IN THE MATTER OF ARBITRATION ACT CAP 49 LAWS OF KENYA

AND IN THE MATTER OF AN ARBITRATION DISPUTE

BETWEEN

BIMA SHEKAMETA BHAI CLAIMANT

VERSUS

1. PETER OKOTH
2. PATRICK OKELLO
3. CALEB ODHIAMBO
4. DAVID YAGO
5. REINHARD BONKE
6. JAMES ONYANGO
7. JOHN OTIENO
8. DEMINAL OGWARI

.....RESPONDENTS

OBJECTION TO THE ARBITRATION PROCEEDINGS

TAKE NOTICE that the Respondents take issues and/or object to the proceedings herein on the grounds THAT;

1. There is no commercial and/ or contractual transaction between the parties thus no binding agreement to arbitrate exists.
2. The issues raised in the claimant's claim border both on civil and criminal actions and are way outside the purview of an Arbitration Tribunal and can only be conclusively adjudicated and/or determined by a competent court of law.
3. If in any case the claimant believes and/or desires mediation on the issues raised in the claim, there is within the court system a court annexed mediation with moderators and/or adjudicators with competence to handle similar disputes.

4. The Respondents are further opposed to the method employed by the Claimant in identifying, nominating and/or selecting Aluochier Dispute Resolution as the Arbitrators as the same was done single handedly without the input of the respondents thus respondents are apprehensive of eminent bias on the outcome.
5. The issues raised in the claimant's claim require a determination with finality and this can only be achieved through a proper judicial process through the courts of law.

DATED at MIGORI this 8th day of September 2025


M/S TOM MBOYA & CO. ADVOCATES
FOR THE RESPONDENTS

DRAWN AND FILED BY

M/S TOM MBOYA & CO.
ADVOCATES,
SAFARICOM HOUSE, 2ND FLOOR;
P.O. BOX 1255-40400,
SUNA-MIGORI.
Email: tommboyaadvocates@gmail.com.

TO BE SERVED UPON:

BIMA SHEKAMETA BHAI