



Oraro & Company's Arbitration Brochure



Introduction to Oraro & Company Advocates

Oraro & Company Advocates is a market-leading African law firm established in 1977 with a strong focus on **dispute resolution** and **corporate & commercial law**. With a dedicated team of 12 partners, 1 director, 13 associates and 41 support staff, the firm is highly respected for its dispute resolution practice in Kenya, and its strong bench of litigators.

We provide specialist legal services both locally and regionally in **Arbitration, Banking & Finance, Corporate & Commercial, Conveyancing & Real Estate, Dispute Resolution, Employment & Labour, Infrastructure, Projects and PPP, Restructuring & Insolvency and Tax**. Over the years, we have represented both local and foreign clients, governments, regulators, and not-for-profit organisations from target industry sectors including construction, education, energy, financial services, manufacturing & industries and the public sector.

We provide both local and cross-jurisdictional legal services, either directly or through the extensive relationships that we have established with leading firms across the globe, which enable us to offer cross-jurisdictional legal advice in a seamless manner while maintaining the highest professional standards.

The firm has a robust team of lawyers and has over the years been consistently ranked by **Chambers Global, IFLR 1000** and **Legal 500** as a top-tier firm in Kenya.

Oraro & Company Advocates prides itself in its **deeply rooted client relationships** by providing quality legal services through its **partner-led approach**, drawing from **local knowledge** and **global perspectives**.

"They're very pleasant to work with. They have a very collegiate atmosphere and a great work ethos."

Chambers Global 2019

Our Arbitration Expertise

Our arbitration practice is recognised for its excellence in this area. The firm has always been at the forefront of both domestic and international arbitration in Kenya, providing recourse from the onset of a dispute through to an enforcement of an award.

We have represented clients in **local** and **international arbitration tribunals** including International Centre for Settlement of Investment Disputes (**ICSID**) and the International Chamber of Commerce in **energy**, **financial services** and **construction sectors**.

"They're very impressive. Oraro is the team we turn to for our most important litigation and arbitration." Chambers Global 2019

Our Key Competencies

Our practice area encompasses the full spectrum of contentious matters, including:

- domestic and international arbitration
- complex banking litigation
- constitutional law
- election petitions
- insolvency
- investigations
- property disputes
- projects, infrastructure and energy disputes
- public procurement
- tax

“The firm continues to lead the way and has great litigators.”

Chambers Global 2018

Our Market recognition

“Litigation is a very strong area for Oraro & Company. They are very knowledgeable and well respected in this field.”

Chambers Global 2017



Oraro & Company Advocates



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Our Experience

ARBITRATION

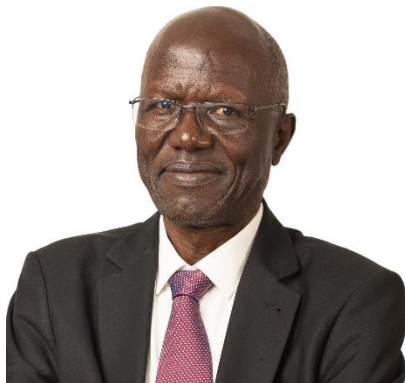
Our arbitration practice has been at the forefront of both domestic and international arbitration practice in Kenya. The practice area has represented clients before both local and international arbitral tribunals such as International Centre for Settlement of Investment Disputes (**ICSID**), London Court of International Arbitration (**LCIA**) and the International Chamber of Commerce (**ICC**). The firm has advised clients in various sectors including, construction, banking & financial services, manufacturing and energy.

Some of our recent arbitration work include:

- Successfully represented a Pan-African Bank in a USD 25 million claim brought by a Zambian borrower who claims he never authorised the bank to disburse funds to the borrower. It was an ICC administered arbitration and the seat was in London.
- Represented a Canadian-based energy company as co-counsel in the ICSID proceedings brought against the Government of Kenya in respect to the unlawful revocation of the company's geothermal licence worth USD 312.7 million.
- Advising and representing an international civil engineering company to enforce an international arbitral award of USD 13 million in Kenya issued under ICC arbitration with its seat in London.
- Advised a major American private equity fund on their legal options and remedies against former directors and shareholders of a leading East African civil engineering and construction company with a view of recovering an arbitral award of USD 312.7 million from the LCIA.
- Represented a construction company in a USD 6.5 million claim for value-added tax on breach of a building contract. The claim was for contract work, the cost of additional works and variations.
- Representing a leading local building contractor in an arbitration seeking a USD 6.4 million claim for a breach of building contracts under the East African Institute of Architects.
- Represented a construction company in an arbitration for USD 6.5 million claim for value-added tax on breach of a building contract. The claim was for contract work, the cost of additional works and variations.
- Representing a landlord in a claim in excess of USD 1 million arising from the termination of a lease agreement and incidental license agreements.

Our Arbitration Lawyers

George Oraro SC, Senior Partner



George (goraro@oraro.co.ke) is the Senior Partner at Oraro & Company Advocates. With over 42 years of experience, he is held in high esteem for his arbitration, mediation and litigation expertise in Kenya. He specialises in administrative and judicial law, banking & commercial litigation, corporate & commercial law, employment and labour disputes, international trade and tax disputes.

He has practised in the International Criminal Court , LCIA, ICC, the Supreme Court of Kenya, Court of Appeal, the High Court, Employment & Labour Court, and various Tribunals.

In 2012, George was conferred with the rank of Senior Counsel for his exemplary service to the legal profession. Similarly, Chambers Global 2019 Guide ranked George a top-tier lawyer, noting that he has a *"brilliant legal mind"* and that he has *"attention to detail and extensive knowledge of law across jurisdictions."* He was also appointed to serve as a Commissioner of Assize to assist in expediting and determining criminal and civil matters.

Aside from his legal practice, George has served as a board member for the Capital Markets Authority in which he was instrumental in the development of the legal and regulatory framework for the Capital Markets in Kenya. He was also a member of the Nairobi Securities Exchange Technical committee. In 2015, George became the first Honorary Consul for the Republic of Lithuania.

Noella Lubano, Partner



Noella Lubano is a Partner recognised as a dispute resolution expert having acted for well-noted clients in some of Kenya's published contentious matters. She Specialises in commercial litigation, employment, oil and gas, public procurement, banking, pensions and shareholder disputes but is well-regarded for asset tracing, insolvency matters and both local & international arbitration. Noella has acted for several local and international clients including one of the biggest fraud cases in a claim seeking the tracing and recovery of approximately USD 340 million which was fraudulently siphoned from a Kenyan bank.

She is ranked by Chambers Global 2019 as an "Up and Coming" lawyer in Dispute Resolution with the guide noting that Noella is *"a good strategist"* with *"an extensive knowledge of ICC arbitration and an investigative approach."*

Noella is an eloquent speaker. She has spoken on various topics in International Arbitration at the International Arbitration Conference in, Nairobi, Kenya in 2019, Addis Ababa, Ethiopia in 2018, and Kigali, Rwanda in 2017. She has also shared her legal insights across the globe including the United Kingdom, Nigeria, Ireland and Austria.

Geoffrey Muchiri



Geoffrey (geoffrey@oraro.co.ke) is a Partner in the dispute resolution practice group who specialises in arbitration, alternative dispute resolution and litigation. With over 12 years of experience, Geoffrey has represented and advised local and international clients in admiralty and maritime law, banking and commercial litigation, insurance, medical malpractice, oil and gas transactions but is well regarded for his restructuring and insolvency expertise.

Geoffrey has an LLM from the University of Birmingham, United Kingdom in Commercial Law and an LLB from Nagpur University, India and a Diploma in Law from the Kenya School of Law.

Daniel Okoth, Senior Associate



Daniel (daniel@oraro.co.ke) is a Senior Associate in the Litigation Department and specialises in Arbitration and Dispute Resolution. With over four years' experience, he has advised both local and international clients in arbitration, banking and commercial litigation, constitutional law, employment and labour law and land disputes.

Daniel has been involved in a number of notable matters including being part of a team that represented Telkom in a landmark employment dispute arising from a redundancy of 2,600 employees and further negotiating a settlement worth USD 3.5 million.

Daniel holds an LLB from Moi University and a Diploma in Law from the Kenya School of Law.

Eva Mukami, Associate



Eva is an Associate in the litigation department and specialises in Arbitration & Mediation and Dispute Resolution.

She has advised local clients from various target sectors such as energy, oil, manufacturing and financial services in arbitration & mediation, constitutional law, land disputes, debt recovery, banking & commercial litigation, and insolvency.

Eva recently advised a bank on enforcement of third party securities under the Insolvency Act, 2015 as well as advising an oil company on its prospective claim against the National Land Commission for denial of fair administrative action under the Constitution in its compulsory acquisition of the oil company's land.

Eva has a LLB from Moi University and a Diploma in Law from the Kenya School of Law.

Meshack Kwaka, Associate



Meshack is an associate in the litigation department. He specialises in dispute resolution, including alternative dispute resolution arbitration, banking and commercial due diligence, employment and labour disputes, constitutional law, judicial review and fintech.

He has assisted in advising and acting for both local and international clients across a wide array of sectors including financial services, manufacturing, payment services providers and public benefit organisations.

Meshack holds a LLB and Bachelor of Arts in Political Science and Sociology, both from the Catholic University of Eastern Africa and a post-graduate diploma in Law from the Kenya School of Law.

“[A] distinguished practice with renowned experience in a wide range of dispute resolution mandates. Recognised for the technical prowess of its lawyers in both litigation, including IP disputes, and arbitration.” **Chambers Global 2016**



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