

FIRM PROFILE



MAGUA & MBATHA
ADVOCATES





INTRODUCTION

Magua and Mbatha Advocates (MM), is an organization which is premised on the values of quality work and commitment to ensure our clients are provided with the necessary support to bring all matters and transactions to a successful conclusion. Since inception, we have grown in size and scope to better serve our clients and meet the challenges posed by a constantly changing world.

MM prides itself in staying ahead of the learning curve by providing our clients with innovative legal solutions that are custom made to best suit their circumstances.



VISION

To position ourselves as the leading Law firm in the Region with innovative, imaginative, honest, timely and cost-effective solutions.



MISSION

We are committed to delivering unparalleled legal services in addressing challenges in a constantly evolving market with a focus on personalized attention and quick turnaround time.

CORE VALUES

Our Success is rooted in our core values which defines what we stand for as a firm, which are:

- Dependable
- Innovative
- Excellence
- Transparency
- Honesty





OUR TEAM

MM has found its strength in its enterprising and dynamic personnel who have extensive experience in all kinds of legal matters.

We take pride in representing clients in a professional, thorough, and determined manner. This combined with good client care and case management are some of the main reasons why our clients have stayed with us, and why new clients continue to entrust their legal matters to MM.

Our team of 2 Partners and 2 Legal Associates have been at the forefront of many innovative legal developments.

MM has developed a top notch Trainee Advocate Program where young professionals are taught the theoretical knowledge of legal practice and procedures in different areas of law along with practical, hands-on applications, preparing them for their work placement and future employment.



PRACTICE AREAS

MM represents clients in diverse practice areas and forums. Our practice is organized under the following departments, namely:

A. REAL ESTATE AND CONVEYANCING TRANSACTIONS

The team combines innovative ideas with a wealth of experience to provide sound, practical and solution-oriented advice. The team regularly advises on a wide range of real estate issues such as:-

- (i) Residential housing and commercial property developments.
- (ii) General property transactions.
- (iii) Preparation of documents relating to the creation and transfer of interests in land.
- (iv) Evolving legislation and regulations relating to the acquisition and use of land in Kenya.



B. COMMERCIAL AND CORPORATE LAW

Here at MM, we provide a comprehensive approach to business structuring that addresses both the short and long term goals of the investors. We are therefore well positioned to:-

- (i) Advise on Company and Business Formation, and Compliance.
- (ii) Prepare contracts, prospectus and offer corporate advice.
- (iii) Represent clients in the registration of Kenyan and Foreign businesses and Share & Asset transactions.
- (iv) Advice on Mergers, Acquisition and Joint Ventures.



C. PROBATE AND ESTATE MANAGEMENT

We offer practical advice as relates to planning, managing and administering estates. We are well experienced in advising executors and administrators, beneficiaries, trustees and personal representatives alike on all aspects of succession and estate management.

In general our services include:-

- (i) Preparation of wills and trust instruments.
- (ii) Preparation of documentation leading to the grant of probate or administration as well as attending to the court procedure.
- (iii) Estate Planning and Management.



D. INTELLECTUAL PROPERTY

As the effective acquisition and protection of intellectual property rights gains importance in today's competitive business environment, MM's Intellectual Property practice is uniquely qualified to assist clients in achieving their objectives. Our team is involved in various aspects of intellectual property transactions, development and enforcement, including:-

- (i) Trademark registration and dispute resolution.
- (ii) Franchise and licensing.
- (iii) Patent registration and infringement actions.
- (iv) Advising on copyright protection and enforcement.



E. BANKING, INSURANCE AND FINANCE

One of MM's major practice areas has been in the banking and finance industry. Our dynamic team combines a high level of expertise with innovative thinking to provide sound advice and practical solutions. We negotiate banking and security facilities, disposals, bond restructuring, debt and project financing, schemes of arrangement and capital raising transaction for you. We also conduct extensive due diligence in any part of the country.

Our areas of services include:-

- (i) Preparing and perfecting all forms of security and financial documentation.
- (ii) Drafting and reviewing policies and other commercial agreements.
- (iii) Advising on regulatory compliance and on evolving banking and finance legislation.
- (iv) Advising on insurance claims and follow up for compensation.



F. DISPUTE RESOLUTION MECHANISM

• Arbitration and Mediation

Arbitration and Mediation are increasingly becoming the preferred alternative modes of dispute resolution. Our team, known for its preventive law practice, is able to advise clients on how to reach mutually agreeable settlements while maximizing the opportunity to achieve the most favorable outcome.

• Litigation

At MM use litigation as a tool of last resort, to obtain the best possible outcome for our clients while refusing to let it become a war of words played between lawyers at client's expense. Our litigation team of experienced trial lawyers is accomplished and highly skilled advocates dedicated to producing results.



G. CORPORATE GOVERNANCE AND COMPANY SECRETARIAL SERVICES

Purpose of corporate governance principles is to facilitate effective, entrepreneurial and prudent management that can deliver the long-term success of an organization. We also offer company secretarial services i.e.:

- (i) Statutory Company Secretary.
- (ii) Attendance at Board Meetings and Committee Meetings.
- (iii) Taking minutes at Annual General Meetings and Board of Directors Meetings.
- (iv) Constitution of committees ,drafting terms of references and Board Charter
- (v) Attending to changes in the structure of a company.
- (vi) Corporate Governance audits and board evaluation
- (vii) Compliance with corporate governance codes and principles.



NETWORKS AND STRATEGIC ALLIANCES.

At MM, we believe in working with the best which guarantees our clients receive the best. Some of our networks include:-

- (i) Law Society of Kenya.
- (ii) East Africa Law Society.
- (iii) Institute of Certified Public Secretaries.
- (iv) Chartered Institute of Arbitrators.
- (v) Kenya Institute of Management.
- (vi) Business Network International
- (vii) International Commission of Jurists



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OUR PROFESSIONALS



I) JOSHUA MAGUA KIBOI

- Partner

Joshua is an astute litigator with proven ability to competently represent clients in complex cases of litigation, arbitration and other forms of alternative dispute resolution. Joshua has great passion and drive with the ability to deliver in multiple, high pressure cases with tight deadlines.



II) KENDY MBATHA

- Partner

Kendy is a versatile legal practitioner and is known for her dynamic and hands-on approach to conveyancing, commercial litigation, corporate law and Intellectual Property. A skillful lawyer with a knack for attention to detail. Kendy is able to dissect complex commercial issues to provide pragmatic and user friendly legal solutions.



III) IRENE NJERI KINYANJUI

- Legal Associate

Irene is an Advocate of the High Court of Kenya of rare persistence, industry and intellectual rigour. Irene is a highly organized and meticulous litigator known for her phenomenal work ethic. She possesses key skills in conveyancing, banking securities & Insurance.



IV) DANIEL WAINAINA NDIRANGU

- Legal Associate

Daniel is an Advocate of the High Court of Kenya of high personal integrity has vast experience in Civil Litigation, Family and succession Law, Insurance Law, and Debt recovery.







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