

Fwd: J.B KARUGU'S WILL (HANDOVER)

From: Victoria Karugu (vnkarugu@matharaholdings.com)  
To: vnkarugu@yahoo.com  
Date: Monday, August 14, 2023 at 10:32 PM GMT+3

(B3)

This is Exhibit marked "DM-1" referred to in the Annexed Affidavit / Declaration of DUNCAN MAINA Sworn / Declared before me this 9th day of Feb 20 26 at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

----- Forwarded message -----

From: Optimum Registrars <optimumregistrars@gmail.com>  
Date: Thu, 24 Nov 2022, 12:12 pm  
Subject: J.B KARUGU'S WILL (HANDOVER)  
To: <yvonne.karugu@gmail.com>, Mwaura Karugu <emkarugu@matharaholdings.com>, <rgkarugu@matharahoidings.com>, Vicky Karugu <vnkarugu@matharaholdings.com>, <hmwaura@gmail.com>, <bgkarugu@gmail.com>, <waitheraalexis@yahoo.com>

Dear All,

Trust you are all well!

This is to inform you that I am the custodian of J.B. Karugu's will, and I would like to hand it over to you and the executors on Tuesday 29th November 2022 at Elysian Resort on Kiambu Road- Dr. Munga room at 2.30 pm.

As a beneficiary, you are invited to attend the meeting in person to witness the handover.

Kind regards,  
Jane Kabi-Gitau.

--

**PROVERBS 3: 5-6: Trust in the Lord with all your heart, and lean not on your own understanding;**

**In all your ways acknowledge Him and He shall direct your paths.**

--

OPTIMUM REGISTRARS  
Certified Public Secretaries  
2nd Floor, North Wing, Mpaka House  
Mpaka Road, Westlands  
Tel: +254 202 019537/ +254 713703 418  
JANE GITAU  
MANAGING PARTNER, OPTIMUM REGISTRARS  
Tel: +254 722 821 707 / +254 771 996 533

B4  
(11)

MEMBERS PRESENT DURING THE HANDOVER OF THE LAST WILL  
AND TESTAMENT OF THE LATE JAMES WYR KARIUKU ON 24<sup>TH</sup>  
NOVEMBER 2022

This is Exhibit marked DM-2  
referred to in the Annexed Affidavit / Declaration of  
Duncan MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

SAM MANGALU KARIUKU

W. D. KARIUKU

*(Signature)*

Filed on: 2023-03-03 - BY: MURRU MUNGAI & COMPANY ADVOCATES LLP - Reference: E2JUDTIC - KSH 1060/04

- 1 ERIC MUKORA KARIUKU
- 2.
- 3.
- 4.
5. *(Faint handwritten name)*
6. ANNE MATHIAS KARIUKU
7. HELEN MATHIAS KARIUKU
8. JOSEPH M. LIMANI
9. WILLIAM R. RICHU
10. PETER GACHUHI
11. ELIND KARUBU GATHUMBIA

12.



MEA ONYANGO & COMPANY  
ADVOCATES

A1  
①

Received on  
Date: 17th/6/2023  
LEGAL OFFICER  
POLICE HEADQUARTERS

**Our Ref:**  
MO/PRB/1606/23

Inspector General  
Kenya Police Service  
Taifa Road  
Jogoo House  
NAIROBI

**Your Ref**

**Date**  
16<sup>th</sup> June 2023

This is Exhibit marked "DM-3"  
referred to in the Annexed Affidavit/Declaration of  
DUNCAN MAINA  
Sworn/Declared before me this 9<sup>th</sup>  
day of Feb 20 2023  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Dear Sir

**RE: INVESTIGATION OF THE LAST WILL AND TESTAMENT OF THE LATE JAMES BORO KARUGU ("DECEASED")**

We refer to the above matter. We have instructions from our Client who has requested to remain anonymous and has instructed us to lodge this inquest request on his behalf.

The Deceased was a former Attorney General of Kenya who died on 10th November 2022. Soon thereafter, it was announced that he left a Last Will and Testament (hereinafter referred to as the "Will") purportedly executed on 2nd April 2014. Our Client suspects that the Will is a forgery and requests that you investigate the same vis-a-vis with his last known signatures in order to determine if the Deceased executed the Will.

To this end, we attach the following for your kind attention:

- a) Cover page, page 8 and 9 of the Will.
- b) Samples of the Deceased's last known signatures.

The original Will is in the custody of Peter Gachui a Partner of the Firm of Kaplan and Stratton situated on the 9th Floor of Williamson House, 4th Ngong Avenue.

Yours Faithfully

M.E.A ONYANGO



A2  
(1)

Date:  
7<sup>th</sup> July 2023

Our ref:  
SK/K0034/001

Mr. Mohamed I. Amin, EBS, MBS, OGW, ndc (K),  
The Director of Criminal Investigations,  
The Directorate of Criminal Investigations,  
Opp. Forestry Department Headquarters,  
Kiambu Road,  
P.O. Box 30036 - 00100,  
NAIROBI.

Dear Sir,

RE: INVESTIGATION OF THE LAST WILL AND TESTAMENT OF THE LATE  
JAMES BORO KARUGU ("DECEASED")



Your ref:  
**This is Exhibit marked "DM-4"**  
**referred to in the Annexed Affidavit / Declaration of**  
**DUNCAN MAINA**  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

We refer to the above-referenced matter. We act for Victoria Karugu (*hereinafter referred to as "Client"*) a daughter of the Deceased with instructions to address you as detailed hereunder.

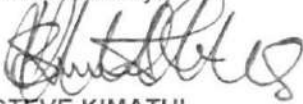
Our Client has been made aware of an investigation with respect to the Last Will and Testament ("Will") of the Deceased who was a former Attorney General of the Republic of Kenya. Our Client was informed that the preliminary investigations confirmed that the Will was not executed by the Deceased and further investigations into the circumstances surrounding the same are ongoing by your office at Vigilance House.

We kindly request that the file be transferred to the DCI Headquarters for further investigations owing to the following:

- (a) That it would be prudent that all the resources at the DCI Headquarters be made available for this investigation due to the sensitivity of the matter and the fact that the Deceased was a former Senior Civil Servant.
- (b) That we have been made aware that the Firm of Kaplan and Stratton Advocates through their Partner Peter Gachuhi have filed a Petition for Probate of Written Will, the same being registered as SUCCESSION CAUSE NO E916 OF 2023: IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED) and deposited the original Will with the High Court. Copies of the Petition of Grant of Probate of Written Will are attached hereto for your records.

That it is necessary that your office acts with haste to allow the investigations to be completed at the earliest opportunity to protect the legacy and memory of the Deceased.

Yours faithfully,

  
**STEVE KIMATHI**  
[steve@asadvocates.co.ke](mailto:steve@asadvocates.co.ke)

A2  
(ii)

CC: Client

Mr. Japhet N. Koome, EBS, HSC, ndc (K),  
The Inspector General,  
National Police Service,  
Office of the Inspector General,  
Taifa Road, Jogoo House, "A" 4<sup>th</sup> Floor,  
P.O. Box 44249 - 00100,  
NAIROBI.

PARTNERS

Steve Kimathi | Nyawira Kinyua

ASSOCIATES

Phoebe Mwaniki | Beverly Mabongo | Linda Kamuya | Dorine Wanjeru

74/9

2/3/11

A3 (140)



Andrew & Steve Advocates  
Advocates, Commissioners for Oaths  
and Notaries Public

Western Heights, 2nd Floor,  
Karuna Road, Westlands  
P.O. Box 52 - 00606, Sarit Centre, Kenya

+254 707 324 113 / 202 324 113  
info@asadvocates.co.ke  
Website: www.asadvocates.co.ke

Date:  
11<sup>th</sup> September 2023

Our ref:  
SK/K0034/001

Your ref:  
TBA



Mr. Mohamed I. Amin, EBS, MBS, OGW, ndc (K),  
The Director of Criminal Investigations,  
The Directorate of Criminal Investigations,  
Opp. Forestry Department Headquarters,  
Kiambu Road,  
P.O. Box 30036 - 00100,  
NAIROBI.

Dear Sir,

RE: INVESTIGATION OF THE LAST WILL AND TEST  
JAMES BORO KARUGU ("DECEASED")

This is Exhibit marked Am-5  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

We refer to the above-referenced matter and our letter dated 11<sup>th</sup> July 2023. We act for Victoria Karugu (*hereinafter referred to as "Client"*) a daughter of the Deceased with instructions to address you as detailed hereunder.

We kindly follow up on the progress made in relation to the investigations as contained in our afore-referenced letter. We are made to understand that our Client has recorded a statement but we are not sure if any other statements have been recorded and whether a further examination of the certified copy of the impugned will has been undertaken.

Your response will be appreciated.

Yours faithfully,

STEVE KIMATHI  
steve@asadvocates.co.ke

II oc scu  
Re deal.  
26/9.

CC: Client

Mr. Japhet N. Koome, EBS, HSC, ndc (K),  
The Inspector General,  
National Police Service,  
Office of the Inspector General,  
Taifa Road, Jogoo House, "A" 4<sup>th</sup> Floor,  
P.O. Box 44249 - 00100,  
NAIROBI.

En A. Kareem  
WSE as per drs  
(last 2/3/2023)  
Endavour to  
get a copy of the  
will.

IV  
noted & dealing  
4/10/2023

27/9/2023

8661/24

2/1/11

AH (1)

86



Ecobank Towers, 15<sup>th</sup> Floor  
Muindi Mbingu Street  
P.O. Box 59665-00200  
Nairobi, Kenya  
Tel: 254 20 2221019, 2219731, 2230755  
Cell: 254 796-752815, 732-487567  
Email: admin@murgoradvocates.co.ke  
Website: www.murgoradvocates.co.ke

PK Murgor MN Muinde  
GO Ouma EM Kala

BJ Otieno  
CC Murgor

Our Ref: VNK/G00/01224

Your Ref:

7<sup>th</sup> November, 2024

This is Exhibit marked "DM-5" referred to in the Annexed Affidavit / Declaration of Duncan MAINA Sworn / Declared before me this 9<sup>th</sup> day of Feb 2024 at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Mr. Amin Mohammed Ibrahim, EBS .  
Director of Criminal Investigations,  
Directorate of Criminal Investigations,  
Opp. Forestry Department Headquarters,  
Kiambu Road,  
P.O. Box 30036 - 00100,  
Nairobi.

OC SCU  
Urgent's brief  
19/12/24

Handwritten signatures and dates

Dear Sir,

RE: COMPLAINT DATED 13<sup>TH</sup> SEPTEMBER, 2024 BY OUR CLIENT BY VICTORIA NYAMBURA KARUGU REGARDING SUSPECTED FORGERY OF VARIOUS TESTAMENTARY, TRANSFER OF SHARES AND RELATED DOCUMENTS THAT FEATURE IN THE SUCCESSION DISPUTE OVER THE ESTATE OF THE LATE JAMES BORO KARUGU WHO WAS ATTORNEY GENERAL IN THE REPUBLIC OF KENYA 1980-1981.

We refer to the matter above, and our client's complaint dated 13<sup>th</sup> September, 2024, a copy of which is attached.

In view of the seriousness and urgency of the matter, including the illegal attempt to obstruct investigations into a similar complaint, by Hon. Catherine Ng'ang'a a Deputy Registrar in the Family Division- Milimani Law Courts, vide her attached letter dated 17<sup>th</sup> October 2023, this is to request you to let us have an update on the status of the investigations.

Yours faithfully,

MURGOR & MURGOR ADVOCATES

*[Handwritten Signature]*  
PHILIP K. MURGOR, SC  
pmurgor@murgoradvocates.co.ke

When replying please quote our reference number

JEC 19/12/2024

1340125

2/1/11  
H/H

(A5  
(11))

Victoria Karugu  
P. O. Box 6-09000  
Kiambu, Kenya



19<sup>th</sup> March, 2025

Mr. Amin Mohammed Ibrahim, EBS  
Director of Criminal Investigations  
Directorate of Criminal Investigations  
Opp. Forestry Department Headquarters,  
Kiambu Road  
P. O. Box 30036-00100  
Nairobi, Kenya

This is Exhibit marked DM-7  
referred to in the Annexed Affidavit/Declaration of  
DUNCAN MAINA  
Sworn/Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

DC SCU  
Finalise this  
Matter and submit  
a brief in  
two weeks  
24/03/25

Dear Sir,

**Re: Complaint Dated 13<sup>th</sup> September 2024 Regarding Suspected Forgery of Various Testamentary, Transfer of Shares and Related Documents That Feature in the Succession Dispute in the Estate of the Late James Boro Karugu**

I refer to the serious and pertinent matters above. I am writing to follow up on a letter written by my lawyer Senior Counsel Philip Kipchirchir Murgor on November 7<sup>th</sup>, 2024, herein attached.

All the relevant documents were forwarded to your officers in 2023 and again in 2024 and in almost two years, no active investigation has taken place, notwithstanding the fact that four different teams of investigators have been assigned to this matter. Moreover, there was an illegal attempt to obstruct and prevent investigations on this very matter by the Deputy Registrar in the Family Division at Milimani Law Courts, Ms. Catherine Ng'ang'a. Attached is her letter dated 17<sup>th</sup> October 2023. Her directive to the DCI to suspend investigations was irregular and illegal. This directive undermines the independence of the Judiciary and the National Police Service (NPC). Both institutions operate autonomously, and any interference in their mandated duties compromises the integrity of due process.

The critical points pertaining to this matter can be summarized as follows:

1. The original purported Will and Trust documents must be provided for forensic analysis unless there is proof of loss. See photo of Peter Gachuhi carrying the original copy of the purported Will on 29<sup>th</sup> November 2022 .
2. Contrary to Ms. Catherine Nganga's directive, which she is well aware of, criminal and civil cases may continue concurrently as provided under Section 193A of the CPC.
3. The Judiciary and National Police Service are independent.

CA Amway's  
Team  
deal as  
directed  
25/03/25

4. The affidavits of the purported executors confirm that the documents held in civil court were certified copies and not originals. This begs the question, on what basis did Victor Njenga Kahura of Kaplan & Stratton decide that they were "certified copies." See attached copies.

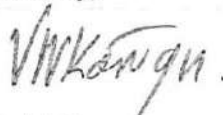
It will be three years since my father, James Boro Karugu passed away this November. Peter Gachuhi continues to refuse to surrender the original purported Will and Trust documents. He and by extension Kaplan and Stratton need to be compelled to produce the original documents. It is the law. Their continued failure to do so only serves to confirm the assertion that the documents are forgeries, as well as the forensic analysis conducted on the certified copies. See attached photos of Jane Gitau with the original purported Will on November 29<sup>th</sup>, 2022. Also attached is the email she sent the group.

With the delay in carrying out investigations, the Respondents have become extremely desperate and at this point I am in fear for my life because there is a separate matter of a missing firearm which was also reported to this office. Please note that on January 8<sup>th</sup>, 2025, Peter Gachuhi went to Maramba Tea Factory and masqueraded as an Executor in order to direct that my father's dividend cheques continue to be deposited. He failed to mention that there was a court matter in which the purported Will had been disputed due to forgery. He also failed to mention that the matter was under criminal investigation. His sheer confidence that the DCI will do nothing, and his failure to disclose the truth in his fraudulent identification of himself as an Executor is shocking to say the least. See enclosed letter, on Kaplan & Stratton letterhead from Peter Gachuhi to Maramba Holdings Limited dated January 8, 2025

Finally, this matter has gathered quite a bit of local attention in the media. It is slowly gathering international attention because last year, my father was awarded an honorary doctorate (posthumously) by his alma mater, Bowling Green State University in Toledo, Ohio. See attached newspaper clip from April 2024. It was the wish of the university to have established a scholarship fund in his name. They have been asking how soon the investigations will end and I have had to tell them, much to their shock, that nothing has been done at all.

I trust that appropriate measures will be taken to ensure that truth and integrity are upheld. Justice must be done and it must be seen to be done.

Sincerely,



Victoria N. Karugu



195  
(11)

Ecobank Towers, 15<sup>th</sup> Floor  
Mumdi Mbingu Street  
P.O. Box 59665-00200  
Nairobi, Kenya  
Tel: 254 20 2221019, 2219731, 2230755  
Cell: 254 796-752815, 732-487567  
Email: admin@murgoradvocates.co.ke  
Website: www.murgoradvocates.co.ke

PK Murgor MN Muinde B. J. Oieno  
GO Ouma EM Kala CCMurgor

Our Ref: VNK/G00/012/24

Your Ref:

7<sup>th</sup> November, 2024

Mr. Amin Mohammed Ibrahim, EBS  
Director of Criminal Investigations,  
Directorate of Criminal Investigations,  
Opp. Forestry Department Headquarters,  
Kiambu Road,  
P.O. Box 30036 - 00100,  
Nairobi.

This is Exhibit marked "DM-8"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Dear Sir,


RE: COMPLAINT DATED 13<sup>TH</sup> SEPTEMBER, 2024 BY OUR CLIENT BY VICTORIA NYAMBURA KARUGU REGARDING SUSPECTED FORGERY OF VARIOUS TESTAMENTARY, TRANSFER OF SHARES AND RELATED DOCUMENTS THAT FEATURE IN THE SUCCESSION DISPUTE OVER THE ESTATE OF THE LATE JAMES BORO KARUGU WHO WAS ATTORNEY GENERAL IN THE REPUBLIC OF KENYA 1980-1981.

We refer to the matter above, and our client's complaint dated 13<sup>th</sup> September, 2024, a copy of which is attached.

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Yours faithfully,

MURGOR & MURGOR ADVOCATES

  
PHILIP K. MURGOR, SC  
pmurgor@murgoradvocates.co.ke



DATE	ACTIVITY	NAME AND RANK OF OFFICER MAKING ENTRY
5.7.23	The investigating officers led by IP Kanagi HSC visit Kaplan & Stratton Advocate office and met Gachuhi. Mr. Gachuhi was shown the documents examiner report and the complaint letter of the matter in question. Mr. Gachuhi requested the investigating officers to write to him and take to the client and respond.	IP Kanagi HSC
7.7.23	<b>MATTER ALLOCATED:</b> Now the OC Serious Crime Unit Mr. Michael Sang (CP) through Mr. Hillary Kimutai (SP) who allocates this matter to be jointly investigated by C.I Moreen, Sgt Kiraithe and Cpl Kuloba. The complaint was reported here through a letter dated 7 <sup>th</sup> July 2023 from Andrew & Steve Advocates which requested for the investigations on the alleged forged Last Will and Testament of the Late James Boro Karugu (deceased).	Cpl Kuloba
10.8.23	<b>LETTER PREPARED AND DISPATCHED:</b> Now C.I Moreen and Sgt Kiraithe today prepare a letter and dispatch to the Deputy Registrar High Court Family Division at Milimani in request for the certified copies of the Petition of Grant of probate filed by Kaplan & Stratton Advocate on 6 <sup>th</sup> July 2023.	Cpl Kuloba
10.8.23	<b>COMPLAINANT SUMMONED:</b> Now C.I Moreen the lead investigator summon the complainant namely Victoria Nyambura Karugu of cell phone number 0722100303 to shed light on her complaint through a statement.	Cpl Kuloba
25.8.23	<b>STATEMENT RECORDING:</b> Now the complainant Victoria Nyambura Karugu of mobile phone No. 0722100303 ha today appeared for interrogation and recorded her statement in regard to her request for investigations on the Last Will and Testament of the late James Boro Karugu (deceased). She has narrated how she believes the Will is a forged document and has never prepared executed.	Cpl Kuloba
25.9.23	<b>CALL RECEIVED:</b> Now Sgt Kiraithe received a call from Mr. Jared the court Administrator Milimani Law Courts. He has informed me that the party applicant to Succession Cause No. 916 of 2023 has indicated that they want the investigating officer to avail himself at the court on 28.9.2023 in the afternoon for pre-trial in respect of the document (Will) in question.	Sgt. Kiraithe

This is Exhibit marked DM-9  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

This is Exhibit marked "DM-10"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9th  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

B5  
(i)

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THE LAST WILL AND TESTAMENT

OF

JAMES BORO KARUGU also known as JAMES KARUGU

---

E. W. KINYENJE  
ADVOCATE  
P. O. Box 40111 - 00100  
NAIROBI

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

*E. W. Kinyenje*

*J.B.K.*

B5  
(ii)

THIS IS THE LAST WILL AND TESTAMENT OF ME, JAMES BORO KARUGU also known as JAMES KARUGU of Post Office Box Number 6 - 00900, Kiambu, Kenya HEREBY REVOKING all former wills and testamentary disposition heretofore made by me.

1. I confirm that:
  - (i) I am an adult of sound mind and that I make this Will of my own free will; and
  - (ii) I am domiciled and resident in the Republic of Kenya.
2. I appoint Peter Gachuhi, Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia be the Executors and Trustees of this my Will. In case any of them shall die or shall refuse or be unable to act in the office of Executor and Trustee of this my Will, then I appoint:
  - (i) Elizabeth Wanjiru Gathungu, to fill any vacancy in the office of Executor and Trustee hereof that may occur by reason of either of their death or refusal or inability to act as Executor and Trustee of this my Will. I declare that in the interpretation of this my Will the expression "my Trustees" shall (where the context permits) include the Executors and Trustees for the time being hereof whether original or substituted.
3. Subject to the payment of my just debts, funeral and testamentary expenses, death duties and the pecuniary legacies set out in clause 7 below and subject further to the provisions of clause 8 below, I DEVISE AND BEQUEATH:
  - (a) to my children with my late wife, Margaret Waithira Karugu, that is to say:
    - i. VICTORIA NYAMBURA KARUGU born 28<sup>TH</sup> MAY 1967;
    - ii. ROSE GATHIRA KARUGU born 12<sup>TH</sup> NOVEMBER 1971;
    - iii. ERIC MWAURA KARUGU born 21<sup>ST</sup> DECEMBER 1972; and;
    - iv. BENJAMIN GITHARA KARUGU and 22<sup>ND</sup> JULY 1976;
  - 1) 5 % each of the shares held by me directly and indirectly in Centurion Holdings Limited equally *in stirpes* provided that the said children survive me for a period of twenty-eight (28) days.
  - 2) to each of them a 2 acre portion out of the twenty acre parcel known as Land Reference Number LR NO 86/4 KIAMARA on which my residence at Kiamara Estate stands; and,

J.B.K.

B5  
(iii)

- 3) to each of them 1 plot measuring 2.5acre or thereabouts at Kinja, Naivasha out of the parcels known as Land Reference Numbers 9517 Naivasha registered in my name
- a) to my sons Eric Mwaura and Benjamin Githara 1acre each of my land at kahuhu land ref LR No Muguga/Kahuho/ 468
- (b) to my children with LUCY MUTHONI GITHIRE, that is to say:
  - i. ALEXUS WAITHIRA KARUGU. born 7<sup>th</sup> DECEMBER 1990 and,
  - ii. YVONNE NJERI .KARUGU born 11<sup>th</sup> APRIL 1994;
- 1) 5% of the shares held by me directly and indirectly in Centurion Holdings Limited equally *in stirpes* provided that the said children survive me for a period of twenty-eight (28) days;
- 2) My half acre plot in Runda L.R No 7785/899 registered in my name.
- 3) to each of them 1 plot measuring approximately one Acre or thereabouts at Naivasha out of the parcels known as Land Reference Number 20/224-443 NAIVASHA
- (c) to my children with HELLEN WAMBUI MWAURA that is to say
  - i. ALLAN MWAURA born on 4<sup>th</sup> January 2004; and,
  - ii. ADAM MWAURA born on 18<sup>th</sup> August 2005;
- 1) 5% of the shares held by me directly and indirectly in Centurion Holdings Limited equally in stirpes provided that the said children survive me for a period of twenty-eight (28) days and provided further that at the time of my death such children shall have attained the age of eighteen (18) years.
- 2) To each of them 1plot measuring one -acre or thereabouts at Naivasha out of the land parcels known as Land Reference No 20/224-443 NAIVASHA
- d) To each of them 2acre portion out of the 20 acres at Kiamara land ref 86/4 /Kiambu
- e) To each of them 1 acre each of my land at kahuhu land reference Muguga/Kahuho /468
- (f) To my granddaughter, MARGARET WAITHIRA NYAMBURA daughter of VICTORIA NYAMBURA KARUGU aforesaid1% of the shares held by me directly and indirectly in Centurion Holdings Limited provided that the said grandchild survive me for a period of twenty-eight (28) days and

J.B.N.

B5  
(iv)

provided further that at the time of my death the said grandchild shall have attained the age of eighteen (18) years.

- g) To the grandson of my late brother Njoroge 1 acre of my land at Kahuhu land reference Muguga/Kahuhu/468
  - (h) To the JBK Foundation, the Settlement Trust I have established [hereinafter referred to as 'the Foundation'], 75% of the shares held by me directly and indirectly in Centurion Holdings Limited, and all the shares held in my name in all other companies and all the assets set out in the Schedule to this my Will [hereinafter referred to as 'the Remainder of the Estate'].
  - i) It is my wish and desire to spend 20,000,000 million to put up a hall for kahuhu secondary school in memory of my late Mother Margaret Wathira Karugu when alive and my trustees should ensure this is done and completed even when am dead.
4. If all of the children referred to in sub-clauses 3 (a) and 3 (b) and 3(c) (d)[hereinafter referred to as 'the Children'] as aforesaid shall predecease me or shall not survive me for the period of twenty-eight (28) days, I DEVISE AND BEQUEATH absolutely all my Estate to my Trustees UPON TRUST to sell, call in and convert the same into money with power to postpone the sale calling in or any conversion thereof for so long as they shall in their absolute discretion think fit without being liable for loss.
5. My Trustees shall hold the Remainder of the Estate and manage the Foundation upon the following trusts:
- (a) UPON TRUST to pay all my just debts, funeral and testamentary expenses, death duties and the pecuniary legacies set out in clause 7 below and subject further to the provisions of clause 8 below;
  - (b) UPON TRUST to invest my Residuary Estate in any investments authorized by law and to stand possessed of such investments and all my Residuary Estate for the time being unutilized provided that my Trustees shall not invest in their own business or the business of their close associates;

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(V)

- (c) UPON TRUST for the benefit of such of the Children [in the shares specified in Clause 3 *per stirpes*] pending their attainment of the age of eighteen (18) years;
- (d) UPON TRUST to use their discretion in the realization of Residuary Estate, with power to them to sell, call in and convert into money any part of Residuary Estate not consisting of money at such time or times in such manner and upon such terms, and either for cash or credit or for part cash and part credit as the Trustees in their absolute discretion may decide upon, or to postpone such conversion of my estate or any part or parts thereof for such length of time as they may think best, and I HEREBY DECLARE that the Trustees shall have a separate and substantive power to retain any of my investments or assets in the form existing at the date of my death at their absolute discretion without responsibility for loss to the intent that investments or assets so retained shall be deemed to be authorized investments for all purposes of this my Will.
- (e) UPON TRUST to make any decision of Residuary Estate or set aside or pay any share or interest therein, either wholly or in part, in the assets forming Residuary Estate at the time of my death or at the time of such division, setting aside or payment, and I declare that my Trustees shall, in their absolute discretion, fix the value of my Estate or any part thereof for the purpose of making any such decisions or ,setting aside payment, and their decision shall be final and binding upon all persons concerned. In fixing the value of the assets of my Estate, I direct my Trustees to keep an even hand and I direct them to take into account not only fair market value of capital property but also its adjusted cost base.
- (f) UPON TRUST to make a distribution of assets according to the items of this my Will if, in their opinion, there is no further liability for any taxes even though they have not obtained a clearance. My Trustees may, if they consider it advisable, make any such distribution, and as a condition for so doing shall have the right to ask for and receive signed indemnification from the beneficiaries to whom any such distributions are made.

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- (g) UPON TRUST to pay my just debts, funeral, and testamentary expenses, and all estate, legacy, succession and inheritance taxes and duties (if any), whether imposed by or pursuant to the law of any domestic or foreign jurisdiction whatsoever, that may be payable in connection with the property passing (or deemed to pass by any governing law) on my death or in connection with any insurance on my life or in connection with any gift or benefit given or provided by me either in my lifetime or by the survivorship or by this my Will or any Codicil thereto, and whether such taxes and duties payable in respect of estates or interests which fall into possession at my death or any subsequent time; and I hereby authorize my Trustees to commute or repay any such taxes or duties.
- (h) To keep invested my Residuary Estate and to pay the net income derived therefrom to or for the Children during their lifetime as follows:

(a) Victoria Nyambura Karugu	KES	1.2 million	per annum;
(b) Rose Gathira Karugu -	KES	1.2 million	per annum
(c) Eric Mwaura Karugu -	KES	1.2 million	per annum;
(d) Benjamin Githara Karugu -	KES	1.2million	per annum
(e) )Adam Mwaura Karugu	KES	1.2 million	per annum
(f) Allan Mwaura Karugu	KES	1.2 million	Per annum
(g) Alexis Waithira karugu	KES	1.2 Million	per annum
(h) Yvonne Njeri karugu	KES	1.2 million	per annum

provided that the said income may be paid to any of the beneficiaries monthly or at such other intervals as such beneficiary may request and provided further that if in any year the net income from my Residuary Estate should be less than the said sum, the deficiency in such year shall be made up out of the capital of my Residuary Estate. This monthly income is subject to review as and when the trustees consider appropriate.

and I hereby declare that in the interpretation of this my Will the expression "Residuary Estate" shall mean the balance remaining of my Estate after payment from my Estate of any of my just debts, funeral and testamentary expenses, the

J.B.K.

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bequests to the Children pursuant to Clause 3 and the pecuniary legacies set out in clause 7 below.

6. I make the following provisions for the appointment of guardians for any of the Children who may not have attained the age of eighteen years at the time of my death until such child or children as aforesaid shall attain the age of (18) years .

(a) I APPOINT Hellen Wambui Mwaura to be guardian of Allan Mwaura and Adam Mwaura provided that in the event that Hellen Wambui Mwaura shall have predeceased me or be unable or unwilling to act as guardian, I appoint:

Peter Mbuthia Gachuhi, Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia as guardians of Allan Mwaura and Adam Mwaura as aforesaid.

(b) I DIRECT that the guardians shall be fully responsible for the care custody welfare shelter and accommodation and general upbringing of such minor child or children as aforesaid (as the case may be).

(c) I DIRECT that when my son Adam Mwaura Karuga is of age he be appointed a trustee of this my estate.

7. I make the following specific pecuniary legacies:

(a) In the absence of any of my children who would want to use, I bequeath the library at the University Of Nairobi School Of Law at Parklands, such of my books as my Trustees shall decide.

8. I bequeath:

(a) to Riara Catholic Mission the sum of Kenya Shillings One Million [KES 1,000,000);

(b) to the Bowling Green State University, Ohio the sum of United States Dollars 25,000 in recognition of their support to me to join Lincons INN to pursue my legal studies provided that the same is applied towards supplementing scholarship funds for undergraduate study in the humanities by a students from Africa and more so from Kenya ; and in particular Kahuhu.

J.B.h.

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9. I direct that my Trustees shall have and enjoy all the powers authorities and discretions conferred on Trustees or executors by any statutory enactment or otherwise.
10. I direct that my trustees do maintain the trust as JBK foundation.
11. I direct that my trustees do transfer all of my movable assets in the Remainder of the Estate to the Foundation and cause them to be registered in its name.
12. I direct that my son Eric Mwaura and two of my trustees, being Peter Gachuhi and Rev Joshua Mwaura Kimani operate all my bank accounts jointly and before any expenditure is made therefrom the two named trustees shall raise a budget which shall be approved by all my trustees .
13. I direct that all the monies held in all my bank accounts or any other monies that may be paid to the trust 20% thereof shall be directed towards education of children at all levels under the JBK foundation and the remaining 80% be utilized for investment and development, maintenance of the properties owned by JBK foundation as duly unanimously recommended by the Trustees.
14. I direct that my trustees do manage the JBK foundation in a sustainable and efficient manner and in so doing they shall not pass over this power to their spouses, children or mothers whether by power of attorney or in any manner whatsoever.
15. My trustees shall hold any personal effects and any other assets not specifically bequeathed for the benefit and general advancement of the beneficiaries. AND in addition thereto the Trustees shall have following powers authorities and discretions:
  - a. Power to invest the proceeds of the Residuary Estate available for investment in or upon such land, stocks, shares securities or other investments of whatsoever nature and kind and whosoever situate and whether involving liability or not or upon such personal credit with or without security as my Trustees shall think fit and with the like absolute power of varying such investments to the intent that my trustees shall have and enjoy full free and unfettered powers of investment;

J.B.H.

B5.  
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- b. Power to insure against loss and damage howsoever arising in respect of any property for the time being comprised in my Residuary Estate to the full replacement value and to pay any premiums in respect thereof and at the Trustees absolute discretion to apply any monies from such insurance either towards making good the loss or damage in respect of which it was received or as if it were the proceeds of sale of the insured property; and
  - c. Power prior to such of the Children as will be minors at the time of my death attaining the age of eighteen (18) years as aforesaid to advance such amount[s] as they shall in their discretion deem reasonably adequate from the income and capital of my Residuary Estate to the Guardians for the education maintenance or advancement in life or otherwise for the benefit of such child or children without being liable to see to the application thereof and the receipt of any Guardian shall be a sufficient discharge to my Trustees.
- 16 I declare that any Trustee of this my Will and of any Codicil that I may make hereto being an advocate or solicitor or other person engaged in any other profession or occupation may be so employed or act and shall be entitled to charge and be paid all proper and reasonable professional and other charges for any business or act done by him or his firm in proving this Will and any Codicil I make hereto and acting in the trusts thereof including acts which an Executor or Trustee could have done personally provided that such charges are agreed in advance between such professional Trustee and the other Trustees.
- 17 None of my Trustees shall be personally liable for any breach of trust whether by way of commission or omission done or suffered unless it shall be proved that at the time of his doing or suffering such breach or of his concurrence therein such act or default was done or suffered by him mala fide.
18. I desire that my body be buried at my Kiamara Estate next to my wife's grave
19. It is my desire that all the properties that I shall acquire after the date of this my will be transferred to JBK foundation unless otherwise provided.

THE SCHEDULE HEREINBEFORE REFERRED TO A

*[all moveable and immoveable assets, accounts, cash and near cash held in personal name]Company name*

J.B.K.

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(X)

IN WITNESS whereof I have hereunto set my hand this 2<sup>nd</sup> day  
of April two thousand and 14

SIGNED by the said JAMES BORO KARUGU ]

also known as JAMES KARUGU

as his last Will in the presence of  
us both being present at the same  
time who at his request in his  
presence and in the presence of each  
other have hereunto subscribed our  
names as witnesses:

J. B. Karugu

WILLIAM KIMANI RICHU

[Signature]

JANE WANGECH KASLU

[Signature]

J.B.K.

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(X1)

SCHEDULE OF THE PROPERTIES IMMOVABLE & MOVABLE

SCHEDULE A

	SIZE	Registered proprietor
LR NO NYANDARUA /KAHURU/5610	21.537HA	PRME PLANTATIONS LTD
KIAMARA LOWER LR NO 86/3	305.4156	MATHARA HOLDINGS LTD
RUNDA BOUNDARY LR NO 85/2S	4.359	J.B KARUGU
KIAMARA LR 12937/2	186.84	MATHARA HOLDINGS LTD
KIAMARA LR 12938	139.86	MATHARA HOLDINGS LTD
NAIVASHA MARAIGUSHUBLOCK 20/338	0.4544	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/356	0.6844	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/357	0.6383	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/441	17.457	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/442	18.750	J.B KARUGU
NAIVASHA /MARAIGUSHU BLOCK 20/443	12.732	J.B KARUGU
MSAMBWENI LAND SOUTH EAST KWALE TOWN CR 30651	1.412HA	MATHARA HOLDINGS LTD
MUGUGA /KAHUHO/468	9ACRES	J.B KARUGU
LR NO 214/277 MUTHAIGA	1.062	EMPIRE CONSOLIDATED
LR NO 209/642 NAIROBI (AVENUE HSE)	0.0702	MATHARA HOLDINGS Ltd
LR NO 209/1068 FLAT 12 (DELAMERE)		J.B KARUGU
LR NO 209/1068 FLAT 11 (DELAMERE)		J.B KARUGU
LR NO 157/33,156/9157/2 AND 1025 SOUTH EAST LIMURU		NASICO LIMITED
LR. NO 20/224 -443 (Naivasha) (as attached)		MALEWA BAY INVESTMENTS CO LTD
LR NO 9517/66-71 ((Kinja)		J.B KARUGU
LR NO 9517/61		CENTURION HOLDINGS LTD

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MOTOR VEHICLES

TOYOTA FORTUNER	KBL 397S
TOTOTA LAND CRUISER	KBA 393T
NEW TOYOTA LAND CRUISER AUTOMATIC	KBE 940V
DAIHATSU APPLAUSE	KAD 828S
TOYOTA HILUX-PICK -UP	KAH 710Z
ISUZU FTR 54 PICK UP	KAK 4852V
ISUZU NKR 66,3TON TRUCK	KBK 487J
TATA LORRY	KAD 730N
NISSAN VAN	KAW 380U

TREASURY BONDS

	KSHS
CENTRAL BANK BOND (Centurion Holdings)	100,000,00
KENGEN BOND (Mathara holding Ltd )	150,000,000
CORPORATE BOND (centurion holdings)	154,700,000

SHARES IN COMPANIES

<u>COMPANIES</u>	<u>TOTAL NO OF SHARES</u>
1. Kenya power & lightning co ltd	7,000,000.
2. Maramba Holdings Limited	48
3. Nation Media Group Ltd	27720

FIXED DEPOSITS

Chase Bank  
Malewa Bay investment Ltd

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(XIII)

Centurion holdings

Consolidated Bank

Empire consolidated

Centurion Holdings Ltd

BANK ACCOUNTS

Chase Bank Hurlingham Branch,

A/C 106226008

A/C 5301750012

Consolidated Bank River road

A/C 1101700153005

ABC BANK LTD ABC House

A/C 10010062002

ABC (JBK FOUNDATION)

A/C 13000018433

J.B.H.

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15<sup>th</sup> October, 2012

LIST OF KINJA PLOTS THAT ARE NOT SOLD.

KINJA L.R. NO. 9517

<u>PLOT NUMBER</u>	<u>ACREAGE</u>
1. L.R. 9517/66	2.50
2. L.R. 9517/67	2.50
3. L.R. 9517/68	2.59
4. L.R. 9517/69	2.50
5. L.R. 9517/70	2.50
6. L.R. 9517/71	2.59
7. L.R. 9517/61 (Dr. Irvine's Estate)	1.55
<u>TOTAL</u>	<u>16.73</u>

J.B.H.

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NOTES:  
SUMMARY

UPPER PART (around the Lodge)	74	(to be sold at a later date)
LOWER PART	95	(intended for immediate sale)
<b>Sub-total</b>	<b>169</b>	(Total not sold as at 8.12.2012)
ADD: Total plots already sold	23	
<b>TOTAL PLOTS FOR SALE</b>	<b>192</b>	
ADD Total for JBK	6	(20/338, 356, 357, 441, 442, & 443)
ADD Staff Quarters & Farm Office	6	(20/339,436,437,438,439 & 440)
ADD Borehole No. 2	1	(20/414)
ADD Forest	4	(20/281, 374, 375, &376)
ADD Lodge site (initially 11 plots of 14.23 acres but now 1)	1	(20/455)
<u>SUB-TOTAL</u>	<u>18</u>	
<b>GRAND TOTAL NO. OF PLOTS FOR PHASE III</b>	<b>210</b>	

ALSO:

<u>OLD Title No.</u>	<u>New Title No.</u>
1. 20/341	20/456
2. 20/342	20/457
3. 20/343	20/458
4. 20/344	20/459
5. 20/345	20/460
6. 20/346	20/461
7. 20/347	20/462
8. 20/348	20/463
9. 20/349	20/464
10. 20/350	20/465
11. 20/351	20/466
12. 20/352	20/467

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SUB-DIVISION OF L.R. NO. 20/224-443 ✕							10/12/2012
MALEWA BAY INVESTMENT CO. LTD							
PLAN NO.	TITLE NO.	AREA (HA)	AREA (ACS)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
1	224	0.4047	1.00	Grace Wanjiru	SOLD		
2	225	0.4047	1.00	John Ngugi/Robert Waweru	SOLD		
3	226	0.4047	1.00	Westend Holdings	SOLD		
4.	227	0.4047	1.00	Westend Holdings	SOLD		
5.	228	0.4598	1.14	David Chege W.	SOLD		
6.	229	0.4695	1.16				
7.	230	0.4296	1.06				
8.	231	0.4003	0.99				
9.	232	0.4047	1.00				
10.	233	0.4047	1.00				
11.	234	0.4047	1.00				
12.	235	0.4047	1.00				
13.	236	0.4047	1.00				
14.	237	0.4047	1.00				
15.	238	0.4548	1.12				
16.	239	0.4620	1.14	THE LODGE			
17.	240	0.6070	1.50	THE LODGE			
18.	241	0.6070	1.50	THE LODGE			
19.	242	0.6070	1.50	THE LODGE			
20.	243	0.6070	1.50	THE LODGE			
21.	244	0.6070	1.50	THE LODGE			
22	245	0.6070	1.50	THE LODGE			
23	246	0.6070	1.50				
24.	247	0.6070	1.50				
25.	248	0.6070	1.50				

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LAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
26	249	0.6070	1.50				
27	250	0.4047	1.00				
28.	251	0.4047	1.00				
29.	252	0.4047	1.00				
30.	253	0.4047	1.00				
31.	254	0.4047	1.00				
32.	255	0.4047	1.00				
33.	256	0.4047	1.00				
34.	257	0.4047	1.00				
35.	258	0.6449	1.59				
36.	259	0.4312	1.07	THE LODGE			
37.	260	0.4047	1.00				
38.	261	0.4047	1.00				
39.	262	0.4312	1.07				
40.	263	0.4140	1.02	THE LODGE			
41.	264	0.4047	1.00	THE LODGE			
42.	265	0.4047	1.00	THE LODGE			
43.	266	0.3640	0.90				
44.	267	0.4082	1.01				
45.	268	0.5035	1.24				
46.	269	0.4272	1.06				
47.	270	0.4160	1.03				
48.	271	0.4240	1.05				
49.	272	0.4047	1.00				
50.	273	0.4464	1.10				

J.B.L.

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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ACRE	TOTAL AMOUNT	LAWYER
51.	274	0.4176	1.03				
52.	275	0.5220	1.29				
53.	276	0.6320	0.89	Robin Maremma	SOLD		
54.	277	0.4000	0.99	Tom Gitogo	SOLD		
55.	278	0.4047	1.00	Linah Jebii Kilimo	SOLD		
56.	279	0.4047	1.00	Phyllis Muguku	SOLD		
57.	280	0.4047	1.00	Peter Ndegwa & Lydiah Ciera	SOLD		
58.	281	0.4330	1.07	FOREST			
59.	282	0.4048	1.00	Returned to be rectified by the survey Mr. Gachuhi			
60.	283	0.7628	1.88				
61.	284	0.4176	1.03				
62.	285	0.4047	1.00				
63.	286	0.3681	0.91				
64.	287	0.4047	1.00				
65.	288	0.4030	1.00				
66.	289	0.4047	1.00				
67.	290	0.4047	1.00				
68.	291	0.5792	1.43				
69.	292	0.4047	1.00				
70.	293	0.4047	1.00				
71.	294	0.4047	1.00				
72.	295	0.4047	1.00				
73.	296	0.4344	1.07				
74.	297	0.4049	1.00				
75.	298	0.4330	1.07				



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PLAN	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
76.	299	0.3987	0.98				
77.	300	0.4047	1.00				
78.	301	0.5791	1.43				
79.	302	0.6070	1.50				
80.	303	0.6530	1.61				
81.	304	0.4641	1.15				
82.	305	0.4047	1.00				
83.	306	0.3542	0.87				
84.	307	0.4032	1.00				
85.	308	0.4047	1.00				
86.	309	0.4640	1.15				
87.	310	0.4047	1.00				
88.	311	0.4047	1.00				
89.	312	0.4047	1.00				
90.	313	0.4116	1.02				
91.	314	0.4080	1.01				
92.	315	0.4047	1.00				
93.	316	0.4047	1.00				
94.	317	0.4047	1.00				
95.	318	0.4068	1.00				
96.	319	0.3847	0.95				
97.	320	0.6200	1.53				
98.	321	0.6073	1.50	Nelson Chege	SOLD		
99.	322	0.6288	1.55	Nelson Kuria	SOLD		
100.	323	0.6246	1.54	David Kipruto Rono	SOLD		
101.	324	0.6076	1.50				
102.	325	0.6070	1.50				

J.B.H.

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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
103.	326	0.4047	1.00				
104.	327	0.4047	1.00	Achieng Butler	SOLD		
105.	328	0.4047	1.00	Violet Mwikali Kairu	SOLD		
106.	329	0.4047	1.00	Lydia Odongo & Calisto Odongo	SOLD		
107.	330	0.4047	1.00	Peter Wandae & Kamene Wandae	SOLD		
108.	331	0.4047	1.00	Ambrose Ngare	SOLD		
109.	332	0.4047	1.00				
110.	333	0.4047	1.00	Christine Kanyiva	SOLD		
111.	334	0.4047	1.00				
112.	335	0.4047	1.00				
113.	336	0.4047	1.00				
114.	337	0.4047	1.00				
115.	338	0.4544	1.12	J.B.K. COTTAGE			
116.	339	0.4047	1.00	FARM OFFICE			
117.	340	0.5624	1.39				
118.	456*	0.6964	1.72				
119.	457*	0.6068	1.50				
120.	458*	0.6070	1.50				
121.	459*	0.6070	1.50				
122.	460*	0.6070	1.50				
123.	461*	0.6190	1.53				
124.	462*	0.6070	1.50				
125.	463*	0.6444	1.59				
126.	464*	0.6070	1.50				
127.	465*	0.6070	1.50				
128.	466*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
129.	467*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
130.	353	0.4154	1.11				
131.	354	0.5597	1.38				

J.B.K.

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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
132	355	0.5670	1.40				
133	356	0.6844	1.69	MD'S HOUSE			
134	357	0.6383	1.58	MANAGER'S HOUSE			
135	358	0.3895	0.96				
136	359	0.5218	1.29				
137	360	0.6070	1.50				
138	361	0.6070	1.50				
139	362	0.6206	1.53				
140	363	0.4120	1.02				
141	364	0.4047	1.00				
142	365	0.4047	1.00				
143	366	0.4047	1.00				
144	367	0.4047	1.00				
145	368	0.4047	1.00				
146	369	0.4047	1.00				
147	370	0.6071	1.50				
148	371	0.6119	1.51				
149	372	0.6118	1.51				
150	373	0.5166	1.28				
151	374	1.0320	2.55	FOREST			
152	375	1.0820	2.67	FOREST			
153	376	1.0720	2.65	FOREST			
154	377	0.6070	1.50				
155	378	0.6070	1.50				
156	379	0.6070	1.50				
157	380	0.6070	1.50				
158	381	0.6070	1.50				

J.B.H.

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LAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWY
159	382	0.4047	1.00				
160	383	0.4047	1.00				
161	384	0.4047	1.00				
162	385	0.4047	1.00				
163	386	0.4047	1.00				
164	387	0.4047	1.00				
165	388	0.4887	1.21				
166	389	0.5426	1.34				
167	390	0.6113	1.51				
168	391	0.6077	1.50				
169	392	0.5387	1.33				
170	393	0.5162	1.28				
171	394	0.5717	1.41				
172	395	0.4274	1.06				
173	396	0.4047	1.00				
174	397	0.6071	1.50				
175	398			Returned to be rectified by the surveyor Mr. Gachuhi			
176	399	0.4047	1.00				
177	400	0.3024	0.75				
178	401	0.4047	1.00	Dr. Mailu	SOLD		
179	402	0.6686	1.65				
180	403	0.4047	1.00				
181	404	0.4963	1.23				
182	405	0.4047	1.00				
183	406	0.4047	1.00				
184	407	0.4047	1.00				
185	408	0.4047	1.00				
186	409	0.4047	1.00				

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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
187	410	0.4047	1.00				
188	411	0.5451	1.35				
189	412	0.5198	1.28				
190	413	0.3583	0.89				
191	414			BORE HOLE No. 2 (Returned to be rectified by the surveyor Mr. Gachuhi)			
192	415	0.3757	0.93				
193	416	0.3642	0.90	Njenga Karugu	SOLD		
194	417	0.6592	1.63				
195	418	0.4102	1.01				
196	419	0.7464	1.84				
197	420	0.4047	1.00				
198	421	0.4047	1.00				
199	422	0.4047	1.00				
200	423	0.4047	1.00				
201	424	0.4047	1.00				
202	425	0.4047	1.00				
203	426	0.4047	1.00				
204	427	0.4047	1.00				
205	428	0.5397	1.47				
206	429	0.4047	1.00				
207	430	0.4047	1.00				
208	431	0.4047	1.00				
209	432	0.4047	1.00				
210	433	0.4047	1.00				
211	434	1.1270	2.78				
212	435	0.4047	1.00				
213	436	0.5116	1.26	Workers Quarters			
214	437	0.4047	1.00	Farm Office			
215	438	0.4226	1.04	Farm Office			
216	439	0.4021	0.99	Farm Office			
217	440	2.0234	5.00	Workers Camp			
218	441	17.4570	43.12	FARM			
219	442	18.7500	46.31	FARM			
220	443	12.7320	31.45	FARM			
	ROAD	11.7050	28.91				

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DATED THIS 24 DAY OF April 2014

JAMES BORO KARUGU  
(the Settlor)

and  
PETER MBUTHIA GACHUHI,  
ELIUD KARUGU GATAMBIA &  
REV JOSHUA MWAURA KIMANI  
(the Original Trustees)

Settlement Trust Deed establishing the  
JBK FOUNDATION

This is Exhibit marked DM-11  
referred to in the Annexed Affidavit/Declaration of  
DUNCAN MAINA  
Sworn/Declared before me this 9th  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

J.B.K.

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This Deed establishing the Settlement Trust to be known as the JBK Foundation ('the Trust') is made the .....2nd.....day of April.....two thousand .....2014.....between JAMES BORO KARUGU of P O BOX 6 - 00900 Kiambu in the Republic of Kenya (hereinafter referred to as 'the Settlor') of the one part, and PETER MBUTHIA GACHUHI of P.O Box .....NAIROBI....., ELIUD KARUGU GATAMBIA of P.O BOX ..... and JOSHUA MWAURA KIMANI of P.O BOX.113 NORTH KINANGOP in the said Republic as trustees for the time being of the Trust (hereinafter referred to as 'the Original Trustees'), of the other part.

WHEREAS:

1. The Settlor wishes to make an irrevocable Settlement for the purpose of perpetuating the JBK name in the future and to ensure that the assets and incomes of the Settlor are well managed and maintained and his properties which are presently undeveloped will be developed to generate future income and that his immediate family will work together at all times for the Trust, and that if for whatever reason any disputes are to arise these must be resolved amicably it being his sincere and earnest wish that no contentious proceedings shall ever be entered into by the Trustees or other members of his immediate family and with that object in view shall forthwith transfer to the Trust the sum of Kenya Shillings Five Hundred Thousand only (Kshs 500,000.00) and may hereafter cause to be paid or transferred to the Trust further moneys investments or other property by way of addition to the Trust Fund hereby constituted.
2. It is intended that the Trust shall be irrevocable.
3. The Settlor shall pay a sum of Kenya shillings Five Hundred Thousand Only (Kshs 500,000.00, hereinafter 'the initial Fund') to the Trust.
4. It is the wish of the Settlor that the remainder of the Assets listed in the Schedule (A-) annexed hereto be transferred to the Trust.
5. It is contemplated that further property or assets will be transferred or invested in the Trust by or at the instance of the Settlor and further that upon the death of the Settlor the Assets so specified in his Last Will and Testament shall be transferred to the Trust to be held upon trust hereof as an addition to the trust hereby constituted.

AND

The Trust is not registered under the Companies Act or the Societies Act but the Trustees may if they deem it necessary procure its registration under the Trustees (Perpetual Succession) Act.

NOW THIS DEED WITNESSETH that in pursuance to the said wish the Original Trustees at the request and with the consent and concurrence of the Settlor WILL CONSTITUTE themselves under the name and style of the JBK FOUNDATION UPON Trusts and for and with the purposes and objects and with or subject to powers provisions terms and

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conditions hereinafter in the schedule contained and HEREBY JOINTLY AND SEVERALLY ACCEPT the aforementioned trust and the Trusts herein contained.

1. NAME: The name of the Trust shall be "JBK FOUNDATION".

2. DEFINITIONS:

The following words and phrases shall where the context so admits and requires bear and have the several meanings hereinafter ascribed to the same respectively.

- a). "the Trust" shall mean "JBK FOUNDATION" as established and shall include its successors in title.
- b). "the Rules" shall mean the Rules if any made by the Trustees in pursuance of the power in that behalf herein contained or of other powers if any thereto them enabling.
- c). "the Trustees" shall mean the persons for the time being holding office as trustees of the JBK FOUNDATION.
- d). "the Beneficiaries" shall mean the following;
  - i. all beneficiaries of the estate of the Settlor as provided in his Last Will and Testament;
- e). 'the Assets' mean the initial Fund, the immovable and movable assets specified in the schedule(A) annexed hereto as well as all other the assets subsequently transferred to the Trust as hereinbefore provided for.

3. OBJECTS OF THE TRUST

The objects of the Trust are:

- a). To take over all and /or any movable or immovable property and money now or at any time belonging to or held in trust for JBK FOUNDATION.
- b). To invest the Assets and available income generated therefrom from time to time requiring to be invested under the provisions hereof in the names or under the control of the Trustees in the manner hereinafter authorized with power at their discretion at any time and from time to time to realize any property or investments for the time being subject to the trust hereof (including any investments or property other than cash that may hereafter be transferred to or otherwise vested in the trust by or at the instance of the Settlor without any other direction or declaration of trust and the property for the time being representing the same) and to lay out or re-invest the net proceeds thereof in such manner aforesaid.

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- c). To do all such other lawful acts deeds matters and things as are incidental or conducive to the attainment of the above objects and any of them and in particular so that the purposes and objects of the Trust shall be furthered to the greatest possible extents.
- d). It is hereby made clear that JBK FOUADATION shall not lend or give any money to the Trustees, beneficiaries, family members or any other person or body.

4. THE TRUSTEES

- i) The Trustees shall be answerable to each other jointly and severally and to the beneficiaries as stated under the beneficiary clause.
- ii) The Trustees shall not delegate or assign their responsibilities hereunder.
- iii) Each Trustee shall have a defined role with defined responsibility and allowance which shall be defined and approved by the Trustees.
- iv) The first Chairman of the Trust shall be JAMES BORO KARUGU for life while the second chairman shall be PETER MBUTHIA GACHUHI for life. Thereafter the Trustees will unanimously choose one amongst themselves to be Chairman. The third and subsequent holders of the office of Chairman will have a term of two (2) years and will not be allowed to have more than two consecutive terms.
- v) The decision of the Trustees in their selection of Chairman shall be by unanimous resolution.
- vi) The Trustees of the Trust shall be persons named hereinabove or such other person be appointed from time to time
- vii) The Power of appointing new or additional Trustees hereof and of removing existing Trustees shall be vested in the Settlor if living and exercisable by deed and after his death the power of appointing new or additional Trustees shall vest in the other Trustees in the following manner, the Trustees shall propose two names of individuals and the new Trustee shall be appointed unanimously by agreement on 100% votes of the Trustees of the Trust
- viii) From and after the expiration of the Trust period and subject to the trusts and powers hereinbefore contained the Trustees shall hold the capital and income of

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the Fund upon the same trusts as are contained herein (so far as the law may permit) for a further Trust Period as defined and thereafter to be extended for a further period so long as the same does not offend the eighty (80) year rule.

- (ix) In the event that any of the Trustee as beneficiary seek to challenge whether in court or in any other legal manner howsoever the provisions of this Trust he shall ipso facto and automatically forfeit all the rights hereunder including the right to remain as a Trustee.
- (x) During the life of the Settlor, the number of the Trustees shall be four (4) but upon the Settlor's death the Trustees shall appoint an additional Trustee as provided in this deed.

#### 5. MANAGEMENT

##### (a) MEETINGS

The Trustees shall meet from time to time as may be required for the purposes of dealing with the business of the Trust and they shall carry out their businesses in accordance with the accepted norms and practices of business. The Trustees shall in every year meet at least four times but if need be they shall meet as need arises.

##### (b) CONVENING OF MEETINGS

The Trustees may at any time request the Secretary or the Chairman to convene a meeting of the Trustees and such a meeting shall be convened accordingly. Notice in writing or such meeting shall be sent by registered post or recorded delivery at least 14 days before such meeting by the secretary or chairman or some other person appointed for this purpose unless the Trustees concerned shall agree to accept a shorter notice.

##### (c) QUORUM

A quorum at a meeting of Trustees shall be three.

##### (d) CHAIRMAN

The Chairman shall preside at all meetings of the Trustees but in the event of a vacancy in the office of Chairman or if at any meeting the Chairman may not be present within a reasonable time or the time appointed for the holding the same the Trustees shall choose someone out of their number to be and he shall be duly elected chairman of such meeting. All Trustees must attend meetings in person and not by proxy whatsoever.

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(e) VOTES

Questions arising at any meeting of the Trustees shall be decided by a majority of votes. Each Trustee shall have a vote and in the case of equality of votes the Chairman shall have a casting vote.

(f) MINUTES

The Trustees shall cause proper Minutes to be kept in a minutes book (in which shall be recorded the names of the Trustees for the time being) of the proceedings at their meetings which minutes shall be signed by the chairman of the meeting and all minutes purporting to be signed as aforesaid shall be accepted as conclusive evidence of the matters stated therein.

(g) NOTICES

Any notice required to be given under these presents or under the Rules may be given by sending it through the post (registered) or by hand addressed to the person for it is intended at his last known place of address and any notice so sent shall be deemed to have been served on the respective person when in the ordinary course of posting it would have been delivered.

(h) BOOKS

The Trustees shall cause a complete record to be kept in proper books of accounts of all income and outgoings of the Trust.

(i) SECRETARY

The Trustees shall appoint a Secretary amongst themselves and shall employ such officers and servants of the Trust as they may think fit on such salary and/or salaries and upon such terms and conditions as they may consider proper for the purpose of the due and efficient working of the Trust.

(j) AUDITOR

The Auditor shall be appointed by the Trustees from such reputable firms in Kenya but no beneficiary or family member shall act as an auditor.

(k) ACCOUNTS

- d) The Accounts of the Trust shall be made up to the Thirty First day of December in every year and the Trustees shall cause to be prepared as soon as possible after such date a balance sheet and/or statement showing the

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(m) A Trustee is at liberty to resign his position should he/she wish to do so provided that he/she gives a two-month written notice to do so to the Settlor or the Chairman for the time being of the Trust. A Trustee may be removed from the office should he/she fail to attend the Trustee's meeting for 4 (four) consecutive meetings without a justifiable reason, in the opinion of the other Trustees.

(l) In the event that any one of the Trustees or Signatories dies or is incapable of carrying out his duties due to medical problems or dismissal then the remaining Trustees, may be bound to appoint in his/her place one person provided such person is related by blood to the Settlor and forms part of his immediate family that is to say his children, grandchildren, great grandchildren, great grand children etc and provided that such persons is not their mother, or wife or husband as the case may be. Such appointment shall be by a unanimous resolution of the remaining Trustees.

(iv) In the event of his death, Peter Mburhia Gachui and Ray Joshua Mwarua Kimani and Elind Karugu Garambia shall operate all accounts of the Trust jointly.

(iii) During the life of the Settlor, he shall be the sole signatory to all the accounts of the Trust provided that he may give a Power of Attorney to any one or more of the other Trustees.

(ii) The Trustees will have no power whatsoever to operate any additional accounts held in the name of the Trust for any reason whatsoever, other than with full consent of other Trustees unanimously.

true position of the Trust up to the said date. Such accounts and balance sheet (which shall include a list of the investments of the Trust) shall be audited by the Auditor of the Trust who shall have access to all books, papers, records and accounts connected with the Trust and shall be entitled to such further information as he may require. The auditor of the Trust shall report in writing upon the result of his audit and a copy of such statement or balance sheet as audited and of his report shall be forwarded to the Trustees.

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7. INDEMNITY

In the exercise of the powers vested in them by these presents the Trustees shall have an absolute and uncontrolled discretion and shall be indemnified by the Trust on account of all costs charges and expenses incurred by them in the execution of the same. No Trustee shall be liable for any loss whatsoever except as a result of his or her own fraud or dishonesty or breach of trust.

8. RENUMERATION

The Trustees shall be entitled to a sitting allowance of Kshs kshs.50,000./= per sitting plus a travelling allowance of not more than Kshs 10,000 per sitting and allowances should not exceed 90,000 per quarter this will be increased by not more than 10% every 2 years. The Trustees shall not be entitled to any other remuneration from the Trust.

9. RULES

The Trustees may make rules from time to time for the betterment of carrying out the purposes and objects of the Trust and of these presents with power to alter and vary the same but so that any such rules shall in no way contravene, override, alter or overrule any of the constitutions as laid down in this Trust Deed or by any Deed affecting any modification or amendment thereto made in accordance with the provisions hereinafter contained.

10. POWERS TO INVEST

- i) Subject as hereinafter provided any moneys requiring investment hereunder may be invested in acquisition of any property wherever situated and whether producing income or not (including the purchase of immovable or movable property whatsoever or any interest therein) PROVIDED THAT investment may be made in fixed deposits at the bank and in Treasury bills.

11. SEAL

- (a) The Seal of the Trust shall be in the form of a circle encircled round a circumference with the words 'JBK FOUNDATION' and containing in the centre such motif as has been or shall be approved by the settlor.
- (b) Such a Seal shall be kept in the custody of the authorised person by the Trustees in such a manner as they shall prescribe and they shall prevent its use by any unauthorised person(s). Seal to be collected and returned from and to the person by

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any two Trustees via minutes of the meeting duly signed by the Trustees one of whom must be the chairman.

- (c) Such seal shall be used and affixed to all deeds documents and other rewritings, which require the use of a seal, and shall be thereunto affixed in the presence of at least three Trustees

12. INCOME AND CAPITAL

The Trustees shall hold the capital and apply the income of the fund as follows:

- (a) 20% to be set aside for the purpose of educating children at all levels of education.
- (b) To purchase such or other properties or investments as authorised herein;
- (c) To pay all the statutory and other incidental dues including the allowances, professional fees, land rates, land rents, utility bills, insurance premiums, taxes and other levies due to government or local authorities.

13. ARBITRATION

Any dispute arising out of or in connection with this Trust shall be referred to one Arbitrator to be agreed upon by the Trustees. If they fail to reach an agreement within thirty days (30) after any party has first put forward the name of the proposed Arbitrator, then the dispute shall be referred to a single Arbitrator to be appointed by the chairman of the Chartered Institute of Arbitrators (Kenya Branch). The Arbitration Act 1995 or any other existing statutory modifications or re-enactment thereof shall apply to Arbitration hereunder.

This Agreement shall be governed by and construed in all respects in accordance with the Laws of Kenya, and each party hereby submits to the non-exclusive jurisdiction of the Kenya Courts.

IN WITNESS WHEREOF the Settlor and the Trustees have hereunto set their hands and seal the day and year first hereinbefore appearing.

SIGNED, SEALED AND DELIVERED by the said )  
JAMES BORO KARUGU (as the Settlor) )

*J.B. Karugu*

*J.B.K.*

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in the presence of:

JANE KABIU  
E.E.S. CPS 1052  
Civil Public Secretary  
P.O. Box 712 - Nairobi  
*[Signature]*

SIGNED, SEALED AND DELIVERED by the said  
JAMES BORO KARUGU (qua Trustee)

in the presence of:

JANE KABIU  
E.E.S. CPS 1052  
Civil Public Secretary  
P.O. Box 712 - Nairobi  
*[Signature]*

*J.B. Karungu*

SIGNED, SEALED AND DELIVERED by the said  
PETER MBUTHIA GACHUHI (Trustee)

in the presence of:

JANE KABIU  
E.E.S. CPS 1052  
Civil Public Secretary  
P.O. Box 712 - Nairobi  
*[Signature]*

*[Signature]*

SIGNED, SEALED AND DELIVERED by the said  
ELIUD KARUGU GATAMBIA (Trustee)

in the presence of:

JANE KABIU  
E.E.S. CPS 1052  
Civil Public Secretary  
P.O. Box 712 - Nairobi  
*[Signature]*

*[Signature]*

SIGNED, SEALED AND DELIVERED by the said  
REV JOSHUA MWALURA KIMANI (Trustee)

in the presence of:

*[Signature]*

*J.B. Karungu*

STATEMENT BY VICTORIA NYAMBURA

ID No.: 8845323

P.O. Box 6 – 00900, Kiambu

Mobile: 0722 100 303

PERSONAL INFORMATION

- Home County: Kiambu
- Sub-County: Kiambaa
- Village: Kanunga
- Current Residence: Muthaiga Estate, Limuru Road

This is Exhibit marked DM-12  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths



STATEMENT OF FACTS

I, Victoria Nyambura Karugu, a female adult of sound mind, hereby record this statement in my capacity as the complainant in a matter involving suspected falsification of documents allegedly executed by my late father, James Boro Karugu. The contested documents include a purported Last Will and Testament and a purported Settlement Trust Deed said to have established the JBK Foundation. I make this statement in light of ongoing criminal investigations and questions regarding the authenticity of the aforementioned documents.

The late James Boro Karugu was an eminent lawyer who served in various capacities within the public service, including Senior State Counsel, Deputy Public Prosecutor, and as the second Attorney General of the Republic of Kenya. Following his resignation from the Attorney General's office, he retired from public service and devoted himself to family, farming, and business.

He was legally married (there is a marriage certificate) to the late Margaret Waithira Karugu, whom he met while both were studying in the United States under the Kennedy Student Airlift Program. My parents were alumni of Mangu High School and Alliance Girls High School respectively. Their marriage was blessed with four children: Rose Gathira Karugu, Eric Mwaura Karugu, Benjamin Githara Karugu, and myself, the firstborn. I am aware that my father had extramarital relationships with Lucy Muthoni Githire, Hellen Wambui Mwaura, and Gladwell Ngendo, with whom he sired four additional children. Lucy and Hellen also had additional children by other men.

Following his resignation, my father focused on running family businesses, including Mathara Holdings Limited and its subsidiaries, which he built alongside my mother, Margaret Waithira Karugu. My mother, who had risen to the position of Under Secretary in the Ministry of Commerce and Industry after having worked in the Public Service Commission, made significant contributions to the family enterprise. She resigned from government service when my father became Attorney General. After his short tenure, both continued their entrepreneurial ventures together.

*VN Karugu*

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My mother passed away on 7th September 2007. The distribution of her estate remains unresolved due to its entanglement with my father's estate.

In 2015, my father was diagnosed with dementia. I returned from the United States, where I worked as a lawyer, to care for him and manage the family's business interests—a responsibility I continue to carry, ten years on. Despite an initial prognosis of three months to live, my father survived for another eight years, passing away on 10th November 2022 at Nairobi Hospital. He was laid to rest on 19th November 2022 at Kiamara Estate beside my mother, in accordance with his verbal wishes.

On 24th November 2022, I received an email from optimumregisters@gmail.com (Jane Kabi of Optimum Registrars) via my company email address which is vnkarugu@matharaholdings.com, inviting me to a handover of the late J.B. Karugu's Will. The meeting was scheduled for 29th November 2022 at Elysian Resort, Kiambu Road, in the Dr. Munga Room at 2:30 PM. The email was copied to various individuals. I was surprised when Jane claimed to be in possession of the purported Will (and Trust documents) because on November 2, 2015, Godwin Wangong'u, our company lawyer from the law firm of Mboya Wangong'u & Waiyaki sent a draft letter via email to me and Eric Mwaura which Mwaura had said he would deliver to Jane Kabi requesting if she had the Will. Mwaura then came back and verbally reported to me and Godwin that she did not have the Will. See attached email and draft letter prepared for Mwaura to deliver.

I first met Jane Wangechi Kabi (also known as Jane Kabi-Gitau) around 2015 upon my return to Kenya. I learned that she operated as the Company Secretary through her firm, Optimum Registrars Limited.

I attended the meeting as invited. Present were my three siblings—Rose, Eric, and Benjamin, — along with Lucy Githire's daughters Alexis and Yvonne, and Hellen Mwaura. To my surprise, also present were Peter Mbuthia Gachuhi (an Advocate at Kaplan & Stratton), Rev. Joshua Kimani Mwaura (whom I had never met before), Eliud Karugu Gatambia (a distant relative), and William Kimani Richu. I later learned that Peter, Joshua, and Eliud were named as Executors in the purported Will. I only knew Peter Gachuhi, whom I had met at the family home back in 2015. He claimed to have come to greet my father. I sat in on that meeting during which they did not speak much. Peter, however, wanted a photo taken with my father and I obliged. He never visited my father again. He did not attend the family prayers in the days leading to the funeral, neither did he attend the funeral, nor the memorial service which was held about three weeks after the funeral. Eliud was known to me distantly, while Rev. Joshua was entirely unknown. I knew of William Richu, who had performed legal work for my father. He turned out to be one of the witnesses to the disputed documents.

At the ceremony, Jane Kabi presented a sealed envelope, claiming it contained the Will and the Trust Deed documents, and she asserted that they had remained unopened since 2014. **See attached photographs.** Indeed, upon opening the enveloped, she marveled at how voluminous the documents were. However, her statement was contradicted by Peter Gachuhi, who claimed the documents had been opened as soon

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as my father passed away in order to confirm my father's burial wishes. My father had always maintained in the years preceding his death that he was to be buried next to his late wife, my mother. This was well known to us, his four children who grew up in the family homestead with both of them.

The documents presented at the meeting were the purported Last Will and Testament and a purported Settlement Trust Deed, both dated 2nd April 2014. These were copied and distributed but not read aloud. Jane Kabiu, Eric Mwaura, Kimani Richu, and Alexis Waithira left the room to make photocopies. I vividly recall that Mwaura told Kimani Richu to accompany him and Jane to make the photocopies. Alexis then also stood up and insisted that one of them (Lucy Muthoni Githire's daughters) should also accompany Jane and Eric Mwaura. I do not know where the photocopying machine was located within the Elysian Hotel complex but I do recall that they took at least 45 minutes before they came back with the copies of the purported Will and Trust documents which they then proceeded to distribute to us. At the end of the meeting, we watched as Jane handed over the original Will and Trust Deed to Peter Gachuhi after announcing that she was going to do so.

Later, after the purported Will and Trust document handover, while meeting my siblings at Java Cafe in Ciata Mall located in Ridgeways, off of Kiambu Road, Eric received a call from Peter Gachuhi. Eric insisted that the purported Will and Trust Deed reflected our father's wishes and should be acted upon immediately. I requested time to review the documents before forming an opinion. On my way out, I saw Peter and Eric conferring in the parking lot. I also observed that Rev. Joshua Kimani and Hellen Mwaura had arrived at the Elysian Hotel for the Will ceremony, and then they departed in the same car, a fact they appeared to want to conceal.

After my father's memorial on 15th December 2022, I carefully reviewed the documents and identified several irregularities:

**Key Concerns with the Purported Will and Purported Trust Deed:**

1. The main document is paginated, but the cover and execution pages are not.
2. There is no indication of the document's drafter. It is standard practice for a lawyer or a law firm to stamp the document.
3. Numerous grammatical, numerical, and typographical errors exist.
4. Property schedules are not numbered and include assets sold long before my father's death which list individual plot buyers.
5. Company assets are listed without specifying shareholding or acknowledging co-owners, such as my mother or myself.
6. Executors named were not my father's confidants.
7. The documents are attested to by individuals with vested interests—Jane Kabiu and William Kimani Richu.
8. Richu previously withheld funds from my father, resulting in ongoing legal proceedings.
9. The documents confer excessive powers to the Executors and direct much of the estate to the JBK Foundation, which, through forgery, they are to control.

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10. The Trust Deed is witnessed by Jane Kabiw and includes an asset schedule identical to one she obtained via email from the company office manager years earlier. Indeed, she had asked for the documents from our office manager, Brenda Irungu as seen in the **attached email**.

Having interacted extensively with my father's documents over the years, I am convinced the signatures on the documents are forgeries and at best, they have been digitally manipulated. Moreover, my father initialed documents as "J.K.," not "J.B.K." (see annexed documents) The handwriting for the initials is definitely not my father's. These inconsistencies confirm my belief that the documents were forged. **See attached initial samples.**

In June 2023, through my lawyers, I filed a formal complaint with the Police requesting an investigation. While with knowledge that the matter was under investigation, Peter Gachuhi and the other Executors immediately filed a Petition for Grant of Probate in the High Court (Succession Cause No. E916 of 2023 IN THE MATTER OF THE ESTATE OF BORO JAMES KARUGU). They submitted the impugned Will, certified by Victor Njenga of the law firm of Kaplan & Stratton. Indeed, Kaplan & Stratton is currently in possession of the purported Will and Trust documents and have consistently refused to provide it for purposes of forensic examination.

I have since filed an objection to the Petition based on the suspected falsification. Notably, in responding to my Objection, the Executors filed an affidavit by Jane Kabiw—who is not a party to the Petition—to support their claim. In her affidavit, she alleges that the purported Will and purported Trust deed were drafted by Manubhai Patel, a known family friend and advocate. However, upon inquiry with Mr. Patel (in the presence of my counsel, Philip Murgor, SC), he denied any involvement with the document presented in court. He recalled drafting an entirely different Will for my father, identifying alternate Executors—John Njenga, Amos Kiriro, and Hon. Justice Paul Kariuki. Amos Kiriro (now deceased) and Hon. Justice Paul Kariuki were longtime friends, peers and confidants of my late father.

In 2015, my brother Eric gave me a copy of an unsigned Will that matches Mr. Patel's description. Since 2015, Eric has had exclusive access to our father's safes. Jane's affidavit mentions Mr. Patel as the drafter, yet she claims the Will was executed at her own office, a claim inconsistent with Mr. Patel's recollection. I therefore strongly believe that the impugned Will and Trust documents are false documents.

#### **Suspected Individuals Involved in the Forgery and Fraud:**

1. **Jane Wangechi Kabiw (alias Jane Kabiw Gitau):** Alleged custodian and witness of the forged documents, organizer of the Will handover, and author of an affidavit with contradictory claims.

*W. Wangchi*



2. **Peter Mbutia Gachuhi:** Executor and current custodian of the original Will, refused forensic examination of the document, and issued unauthorized directives to Maramba Holdings Limited.
3. **Rev. Joshua Mwaura Kimani:** Alleged Executor who said he met my father only in 2014. It would be bizarre for my father to meet a stranger once and then make him Executor and Trustee of his Will. I had never met nor heard of Rev. Joshua Mwaura Kimani until November 2022, when Jane Kabiw presented the impugned documents. I strongly believe he is related to Hellen Mwaura. **See photograph of them sitting next to one another at the Will exchange meeting at Elysian Hotel.**
4. **Eliud Karugu Gatambia:** Distant relative, not closely associated with my father.
5. **Eric Mwaura Karugu:** My brother, with long-standing tensions with our father and sole access to important safes since 2015.
6. **William Kimani Richu:** A lawyer who once defrauded my father and had access to key estate information. **See attached newspaper article** discussing the case as well as correspondence indicating he had attempted to defraud my father of about 17,000,000 KSH. After further investigation, he was compelled to return the funds he had tried to steal. Indeed, the matter is currently proceeding at the high court HCCC 414 of 2016 – Centurion Holdings Limited versus Kimani Richu Advocates and the next appearance will be on October 7, 2025 as I have sought damages against Kimani Richu based on the fraudulent actions he had further taken in a bid to defraud the companies by charging super exorbitant fees which were brought down by the court following taxation proceedings.
7. **Lucy Muthoni Githire:** Paramour and mother to Alexis and Yvonne.
8. **Hellen Wambui Mwaura:** Paramour and mother to Adam Mwaura; believed to be related to Rev. Joshua.

In light of the above, I respectfully request thorough investigation into the authenticity of the alleged Will and Trust Deed, and into the conduct of the persons named herein.

That is all I wish to state at this time.

**Signed:** Victoria Nyambura Karugu

**Date:** 22<sup>nd</sup> July, 2025

D1  
(vi)

**JBK Will exchange, Tuesday November 29, 2022, at Elysian Hotel on Kiambu Road**

In attendance were:

Jane Kabi (J)	Kimani Richu
Peter Gachuhi	Eliud Gatambia
Pastor Kimani Mwaura	
Alexis and Yvonne Karugu (children of Lucy Githire	
Vicky (VK), Gathira, Mwaura (EMK) and Githara Karugu	Hellen Mwaura (mother to Adam and Allan Mwaura.

Pastor Kimani (a stranger. Seeing him for the first time)

**00:00:00 JK:** We can proceed from there.

**JK:** So, I haven't opened it since the day we closed it with your dad. I have it here so I want to open it, after that depending on what you want, we can go through, I thought it was a big document. (She shows all in the room a sealed envelope, but she is seated far from us anyway. She makes a big production of the opening of the envelope)

D 1  
(vii)

We do photocopies, we give you copies. And then you can leave it with the rest of the Executors.

So here (she removes the documents from the envelope) and this is the Foundation. There is a foundation that she formed. This is a copy of it, and I think if you allow me not to go through it, it's a big document (she giggles).

**00:01:05 VK.** We prefer you don't go through it, yes. Is that what you are asking? Sorry.

**JK:** YES!!!! I am asking, but you see you are many. (She said this with obstinance, rudeness and with a sneering look on her face)

**EMK:** And the group? How do the others feel? Does everyone feel the same? Does everyone feel the same?

**VK:** I was actually just speaking for myself. Yeah

**JK:** OK

**EMK:** Later

**JK:** Later?

**EMK:** Yes.

**JK:** So, I do copies for you I'll make copies if you have anything raise it up in writing and work with the executors then this is Mr. Karugu, your father's cousin he's one of the executors Mr. Gachuhi, he's also an

D1  
(vii)

Executor of the Will and pastor Mwaura; the three of the of them are the executors for this. Peter Elliot and pastor Joshua Mora there the executors of this will Mr. Richu was a witness. I witnessed with him this Will, that is why he's here. So, we go with Mwaura [she is looking at EMK], there are photocopying services down here.

**EMK:** [telling JK] OK.

**JK:** We'll make copies for all of you, we give you, and the others. [She then looks at EMK and they both nod at one another].

**EMK:** [tells JK] That's fine.

**JK.** Are you okay, Peter? Are you okay Mr. Richu?

**PG:** Very much okay

**00: 02:28 Alexis:** Is it OK if we go as well? One of us [children of Lucy] should go.

one of us

**EMK:** Mr. Richu? Mr. Richu? [They look at one another and nod. EMK has proposed that Richu join the team that will go downstairs to photocopy the Will]

**JK:** [She looks at EMK and nods with Richu] We can go in Mr. Richu.

**JK:** For photocopy?



**EMK:** Yes

**Alexis:** Yes

**00:02:43 JK:** It's just down here at the reception.

**00:02: 55** [They leave the room – JK. Richu, EMK and Alexis)

[Silence]

**00:04:26 VK:** Peter, what was his name again?

**PG:** Richu, William Richu.

**VK** OK and then that guy? Pastor who?

**PG:** Joshua, Joshua Kimani

**VK:** ok.

Small chatter

**VK** thank you for sending that picture again today.

**Eliud:** You know remember that day they brought him a jacket, so I thought you'd appreciate that one.

**Eliud:** you're the one who took it it's Wangari who sent it.



[small chatter between VK and Eliud regarding photographs. He wants more photographs of him and JBK.

**00:06:27 – 00:37:00** More silence. [about 30 minutes as photocopies are being made.

**00:39:23** – They return and distribute copies.

**JK:** I think I've given each of you a copy I want you to sign that you have received it I have handed it over to the Executors!

A register is passed around for signatures.

**42:30 - 49:58** – Recording mute.....

I do remember that we prayed. Pastor Kimani prayed in Kiswahili and Eliud Gatambia also prayed.



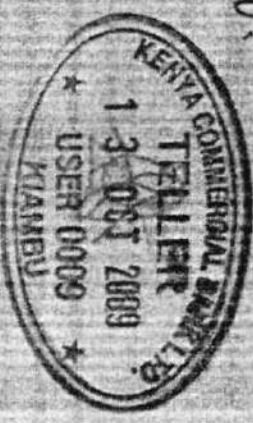
TIGONI  
Receipt No 4877 - 4900 AND 5251 (New Book)

Date: 13/10/2009  
**(617)**



M  
14/10

CREDIT ADVICE  
CASH DEPOSIT



ACCOUNT DETAILS

A/C NO: 1101341366  
MATHIAS HOLDINGS LIMITED  
Client Account - Business

110,100.00 KES

We have credited your above account with

ONE HUNDRETI AND TEN THOUSAND ONE HUNDRED ONLY

USE THIS BY: NCSHS

Signature: *[Handwritten Signature]*

Transaction Number: 11112280181818

AT 13:11:39 ON 13/10/2009

AKINYI BOBY JUDITH

For banking services, you may refer to AKINYI BOBY JUDITH  
Customer Care Number is shown

*[Handwritten Signature]*  
13/10/09

PDF 0000 Scan Version 11 (Rev. 2006)

*[Handwritten Signature]*  
13/10/09

**(617)**

# INTERNAL MEMORANDUM

*J.M. 8/10*

D1  
(xiii)

TO: MANAGING DIRECTOR  
FROM: SENIOR ACCOUNTANT  
THRO: GFC

Date 07.10.2009

## RE: TURITU SELF HELP WATER PROJECT

Sir, we have been supplying water to the above client, Mr Mbugua is responsible for metre readings and in turn forwards the readings to our Farm clerk Ms Rose Mwangi who prepares the invoices and forward them to the project chairman. He also issues receipt upon receiving the money. Money is then combined with the daily sales and forwarded to Moses for bankings

Please find below the analysis schedule for Turitu water project from 1st January 2009 to 30th Sept. 2009

INVOICE NO.	READINGS		UNITS	RATES AMOUNTS		Remarks
	PRESENT	PREVIOUS				
1.01.09	665	1,772,958.00				
2.02.09	666	1,929,796.00	157586	0.04	6,303.44	Paid
1.03.09	667	2,052,402.00	156838	0.04	6,273.52	Paid
1.04.09	668	2,200,000.00	122606	0.04	4,904.24	Paid
1.04.09	668 New metre	58,652.00	147598	0.04	5,903.92	Paid
2.05.09	670	224,862.00	58652	0.04	2,346.08	Paid
1.06.09	671	382,800.00	166210	0.05	8,310.50	Paid
1.07.09	672	575,960.00	157938	0.05	7,896.90	Paid
1.08.09	673	769,714.00	193160	0.05	9,658.00	Paid
1.09.09	674	908,380.00	193754	0.05	9,687.70	Paid
1.10.09	675	1,099,934.00	138666	0.05	6,933.30	Paid
			191554	0.05	9,577.70	Unpaid
					<b>77,795.30</b>	

All the invoices have been paid except the current invoice no 675 for Kshs 9577.70

Prepared by

*Peterson Thiaka*

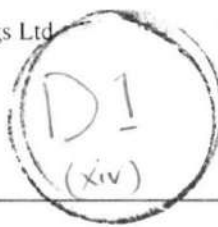
Peterson Thiaka  
S Accountant

Checked by

*Mike Wangai*

Mike Wangai

G F A



Victoria Karugu &lt;vnkarugu@matharaholdings.com&gt;

**Fwd: Mathara Holdings Ltd**

1 message

Victoria Karugu <vnkarugu@matharaholdings.com>  
 To: vnkarugu <vnkarugu@yahoo.com>

Sun, Jun 23, 2024 at 1:39 PM

Regards,

Victoria N. Karugu  
 Group CEO



<b>Address</b>	Kumara Estate P.O. Box 6-02960 Kiamba	<b>Telephone</b>	020 201 1681 020 201 2023
<b>E-mail</b>	info@matharaholdings.com	<b>Mobile</b>	0777 254 282
<b>Web</b>	matharaholdings.com	<b>Fax</b>	020 2082714

----- Forwarded message -----

From: **Sylvia Kang'ethe** <skangethe@lexgroupafrica.com>  
 Date: Tue, Feb 2, 2016 at 6:09 PM  
 Subject: RE: Mathara Holdings Ltd  
 To: Vicky Karugu <vnkarugu@matharaholdings.com>  
 Cc: <gmboya@lexgroupafrica.com>, <emkarugu@matharaholdings.com>, Godwin Wangong'u <gwangongu@lexgroupafrica.com>

Dear Vicky and Eric,

We have considered this matter, following the last meeting held and below are our proposals:

1. *Restructuring of Mathara Holdings Ltd* – this will have to be considered very carefully to avoid raising eyebrows that the Managers of the Estate may be overstepping their mandate, whilst at the same time ensuring that they carry out their duties as the Directors of the Company in accordance with the law. Whatever the Managers do therefore must be seen to be in good faith. The starting point would be for you to ask the Company Secretary to avail all the missing company secretarial documents including all the Directors and Shareholders Resolutions from inception of the Company to date. In particular, we would like to see the **Minute Book** of the Company, as well as the **Register of Members** – as this would now form the basis of any court action. A checklist of the outstanding documentation is attached. We will also request you to forward to us **Financial Statements for 1974 and 1977**.

Based on the feedback/documentation obtained from the Company Secretary, the appropriate action will be taken – which will either be effecting filings at the Companies Registry or seeking an order from court.

2. *Powers of the Managers under the Mental Health Act* – the powers of the Managers under the Order that was granted by court seems to have restricted the actions of the Managers to just managing the Bank Accounts. As discussed, you will enlist the help of James (Kaplan & Stratton) to seek more orders from court. The proposed orders to be sought would include – “*general and special powers including the powers to continue and complete existing and future land transactions, operate bank accounts, run and manage the businesses and companies of James Boro Karugu and all allied activities*”.

Please keep us updated in this regard.

3. *Distribution of the Estate* – We understand that there is already a will and a trust document in the custody of the Company Secretary, and you have already paid the fees for the drafting and completion of the same. We therefore propose that you call for copies of the same, but for safe keeping only. A draft letter to the Company Secretary is attached.

4. *Revocation of Grant* – We understand that you are considering challenging the distribution of your Mother's Estate, on the grounds of fraud/ forgery. As advised, the services of a document examiner would have to be enlisted to determine that indeed your signatures were forged. Further, you will have to agree on the distribution of your Mother's six shares, since one cannot hold fractional shares in a company. We are of the view however, that you hold off seeking the revocation at this point, pending the determination of the course of action to reverse/rectify the anomalies in the actions taken in the Company over the years as set out above.

Kind Regards,

Sylvia Kang'ethe | Associate

Email: [skangethe@lexgroupafrica.com](mailto:skangethe@lexgroupafrica.com)

**mboya wangong'u & waiyaki**

service with integrity

**Lex Chambers**

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Email: [advisories@lexgroupafrica.com](mailto:advisories@lexgroupafrica.com) | Website: [www.lexgroupafrica.com](http://www.lexgroupafrica.com)



**From:** Sylvia Kang'ethe [<mailto:skangethe@lexgroupafrica.com>]  
**Sent:** Tuesday, December 22, 2015 6:54 PM  
**To:** 'Vicky Karugu'  
**Cc:** 'gmboya@lexgroupafrica.com'; 'emkarugu@matharaholdings.com'; 'Godwin Wangong'u'  
**Subject:** Mathara Holdings Ltd

Dear Vicky,

We trust you are keeping well, and attach herewith our legal opinion, based on the information that has been made available to us so far for review. We propose to discuss this further with you in the New Year, and obtain the missing information, in particular the company secretarial documents and accounting records, with a view to agreeing on the next steps to be taken.

The matters considered in summary are as follows:

1. **Reversing the shareholding to the status at incorporation** – lack of filings will not invalidate the actions, as the Act (now repealed) allows for late filings and payment of fines. What the Client may consider is challenging the changes in shareholding, on the grounds that the meetings were not properly constituted.

The Articles of Association of the company do not specify the quorum required in directors' meetings. Nevertheless, Article 3 provides that Table A shall apply as part of the Articles save for portions excluded by that Article. Article 99 of Table A then requires that "the quorum necessary for the transaction of the business of the directors may be fixed by the directors, and unless so fixed shall be two." The result is that the quorum for board meetings of the company is 2 directors. Decisions made by a single director in the absence of the other would be defective for lack of quorum.

Now, the effect of decisions made in want of quorum is that the decisions are subject to invalidation by court upon challenge. In other words, "if the requisite quorum is not present, the meeting is irregular and cannot transact any business." (*Palmer's Company Law, Volume 2, page 8081*). However, Article 106 of the Table allows for circular decisions thus: "A resolution in writing, signed by all the directors for the time being entitled to receive notice of a meeting of the directors, shall be as valid and effectual as if it had been passed at a meeting of the directors duly convened and held." Presumably therefore, the company may be able to salvage the decisions if it is shown that the resolutions making the decisions in question were signed by all directors of the company.

2. On the **powers of Managers under the Mental Health Act** Section 27 gives the court power to order that the manager shall have such general or special powers for the management of the estate as the court considers necessary.

We have seen an Order of the High Court of Kenya, dated 5<sup>th</sup> March 2015, under Petition No. 31 of 2015, appointing Victoria Nyambura, Eric Mwaura and Rose Gathira as managers and guardians in respect of James Karugu. This is done under sections 26 and 28 of the Mental Health Act. Order 2 provides as follows:

"That the Petitioners shall jointly act as managers and guardians in accordance with the directions and orders of the court and in particular to jointly have access and operate the Ward's bank accounts."

It appears that this particular order is only limited to the managers and guardians having access to the Ward's bank accounts. If the Managers, would like to be granted more powers, they would have to move the court by way of petition.

3. On **succession**, if there is a valid will, the Estate will be distributed according to the will. A dependant may however seek redress from court.

where he/she is of the opinion that "reasonable provision" was not made for him/her, under the will being contested.

In intestate succession, If the deceased has married more than once under any system of law permitting polygamy, his personal and household effects and the residue of the net intestate estate shall, in the first instance, be divided among the houses according to the number of children in each house, but also adding any wife surviving him as an additional unit to the number of children. (section 40)

Most notably, section 3(2) of the Law of Succession Act states that ""child" or "children" shall include a child conceived but not yet born (as long as that child is subsequently born alive) and, in relation to a female person, any child born to her out of wedlock, and, in relation to a male person, any child whom he has expressly recognized or in fact accepted as a child of his own or for whom he has voluntarily assumed permanent responsibility." This means that all children born of or taken in by the deceased as his own will be entitled to inherit from the deceased. This is regardless of whether or not the women with whom those children were born are entitled to inherit.



Kind Regards,

Sylvia Kang'ethe | Associate

Email: [skangethe@lexgroupafrica.com](mailto:skangethe@lexgroupafrica.com)



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Email: [advocate@lexgroupafrica.com](mailto:advocate@lexgroupafrica.com) | Website: [www.lexgroupafrica.com](http://www.lexgroupafrica.com)

Please note that we shall close our offices for the Christmas Festive Season on 22nd December 2015 and re-open on 11th January 2016.

We take this opportunity to wish you a Merry Christmas and a prosperous New Year.

**From:** Vicky Karugu [<mailto:vnkarugu@matharaholdings.com>]  
**Sent:** Monday, November 02, 2015 8:42 PM  
**To:** Godwin Wangong'u  
**Cc:** [gmboya@lexgroupafrica.com](mailto:gmboya@lexgroupafrica.com); Sylvia Kang'ethe; [emkarugu@matharaholdings.com](mailto:emkarugu@matharaholdings.com)  
**Subject:** Re: Draft Letter - Asking for pending documentation - Mathara Holdings Ltd

Thank you, Godwin. We really needed this. We shall send it out tomorrow morning. Much appreciated.  
Have a lovely evening!

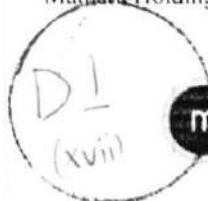
On 2 Nov 2015 19:58, "Godwin Wangong'u" <[gwangongu@lexgroupafrica.com](mailto:gwangongu@lexgroupafrica.com)> wrote:

Dear Vicky,

We forward herewith the draft letter requesting for additional information. As you will see we have kept it quite general and hope that you can verbally explain the urgency due to certain corporate action that the company is contemplating. Let us know as soon as you make headway.

With kind regards,

Godwin Wangong'u | Senior Partner  
Email: [gwangongu@lexgroupafrica.com](mailto:gwangongu@lexgroupafrica.com)



**mboya wangong'u & waiyaki**

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Fax: +254 (0)20 2160312(3)  
Email: [advocate@lexgroupafrica.com](mailto:advocate@lexgroupafrica.com) | Website: [www.lexgroupafrica.com](http://www.lexgroupafrica.com)

This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)



**2 attachments**

-  **Outstanding Documentation in respect of Mathara Holdings Ltd.pdf**  
199K
-  **Draft Letter to Optimum - Asking for the Will and Trust Document - For safekeeping.doc**  
27K

D1  
(xviii)

[INSERT LETTERHEAD]

Date

Optimum Registrars  
2<sup>nd</sup> Floor, Mpaka House  
Westlands  
Nairobi

Dear Sirs,

**RE: LAST WILL AND TESTAMENT OF JB KARUGU AND THE JBK FOUNDATION**

We write regarding the above.

As you are aware, pursuant to the Court Order from the High Court in the matter of a Petition under Sections 26 and 28 of the Mental Health Act dated 5<sup>th</sup> March 2015 (the "Court Order") Victoria Nyambura Karugu, Eric Mwaura Karugu and Rose Gathira Karugu are the appointed managers and guardians in respect James Boro Karugu ("**JB Karugu**"). The Court has therefore granted us powers under the said Act to manage the estate and affairs of JB Karugu. We have enclosed a copy of the said Court Order for your ease of reference.

It is in this capacity as the guardians and managers of JB Karugu that I, the undersigned, on behalf of Victoria Nyambura Karugu, Eric Mwaura Karugu and Rose Gathira Karugu (the "**Managers**") request that you furnish the Managers with a copy of the Last Will and Testament of James Boro Karugu to enable their proper administration of the estate and affairs of JB Karugu, and for completeness of their records.

We also have reason to believe that there exists a JBK Foundation established by JB Karugu under your professional guidance, and we further request that you send us copies of the constitutive documents giving rise to the said foundation for our records.

We enclose a copy of the document mentioning both the Will and Foundation for your ease of reference.

We look forward to your speedy response.

Kindly confirm receipt by signing and stamping a copy of this letter.

Yours faithfully,

.....  
**ERIC MWAURA KARUGU**



Cedars Bar and Restaurant Meeting Transcript  
– March 14, 2023 from 2:00 pm

00:00:00 Walking in, saying hello to friends.

2:31 **PG** – Thanks for coming, there is one more executor, Joshua. He was coming from Nyahururu or Nyandarua? (He is asking EGK)

EGK: Nyandarua, sometimes he comes from Nyandarua.

2:51 **PG** – We are still waiting for him to come.

3:00 **EGK** to VK - Ulipona?

**VK** Yes

4:19 **PG** (asking EGK) Shall I ask him how far he is?

5:04 **PG** calls Pastor Kimani. He says he is in Ruaka. He is reminded of where Cedars is.

8:53 **VK** (after lengthy silence) So how much longer? Maybe I can run some errands?

**PG** He said he is just here in Ruaka. Maybe we can give him another five minutes. If you want, we can still start, and he can join us.

9:09 **VK**: Yes, so he does not waste our time. I have a few things to do also.

**EG**. We can start. Now it is 2:20 pm.

9:27 – **PG** Do you mind if we pray?

**VK**: I'd rather not.

**PG** You'd rather we don't pray?

**VK** Yeah. (He and EGK look at one another)

9:35 Alright, so this is a follow-up meeting from the one we had at that restaurant where we gave everybody a copy of the Will. What we said is we wanted everyone to have a look at it so that if there are any issues or concerns, and so that we can also hear from the others then we can share, we can put

D1  
everybody's thoughts and views together and then we are hoping to reach a consensus on the way forward so that we can then apply for grant of probate without too many issues and also doing the best we can to make sure that your dad's matters are held confidentially, and so that it does not create a lot of uncertainties and there is a lot of litigation or even publicity.

We wanted to do our work for you guys the way he had told us to do it, in accordance with his wishes. So that is the first issue that we had wanted to hear from you as to whether you would like to express your concerns to us now, today or would you want to send us an email. I am happy either way. We can know which way we are going, and we can also tell you what the other's views are. That is one of the main issues for today's meeting. And we told the others as we will tell you, we are being completely open, we are completely independent and impartial, we have not taken anybody's side on any matter. We are doing it openly in sittings like this, the three of us.

11:58 **VK** – So who pays for these meetings, is it my mother's Estate, is it daddy's Estate?

12:03 **PG** - It will be daddy's Estate.

**VK** So you are charging?

12:08 **VK** – How much are you charging per meeting?

**PG** -For them (Pastor Kimani and EGK) they are charging. I have not yet charged yet but we have travelling. He is in Thika.

**VK** - So how much have you charged?

**PG**: What we agreed is that for his fuelling and using of his car, we are charging 10k per meeting.

**VK**. For the fuel from Thika? It's 10,000 shillings/

**PG**: For his time, and everything else.

**VK**. So, he is also billing his time. So how much is your billable hour?

**PG** We put it as one?

**EGK** (laughs out loud and shakes his head. They look at one another and all start laughing).

**VK**. No. don't laugh at me. It is a question.

D1  
(x1)

12:55 **EGK** – No I don't, whatever I am doing I am doing it because my uncle gave me that chance to serve you.

**VK** – No, but you are charging so I am asking how much you are charging.

**EGK** – No it was not really a charge; I will tell you what happened.

**VK**. He (PG) is saying 10,000 per meeting and your car is a Nissan. It is good to know.

**PG** No Vicky

**VK** – Yo9u are a law firm, so you are also charging. Then this fellow coming from Nyandarua, Nyahururu or wherever. So, he is also charging, correct?

**PG** Yes

**VK** So each meeting right now, it's about what? Just curious. I think I have a right to know.

**PG** – This is our fourth meeting.

**VK** – ok, so he has charged 40k so far?

**PG** Yes, yes. Joshua will also be charging 10k per meeting which as we said, it is not a hard and fast rule. It is not anything cast in stone, or anything. We are looking at how do we.....they should not be spending their money for having these meetings.

14:16 - And these meetings we think, as EXECUTORS, are important for the beneficiaries.

**VK** So you have had four meetings.

**PG**. This is the fourth meeting.

**VK** Now your law firm is, you said you haven't charged but obviously your law firm will charge, billables, correct?

**PG**: At some point, yes.

14:36 **VK** – But when?

**PG** ok, for me, because as we go round, I will be suggesting as we are changing the Will that we apply for probate as Kaplan & Stratton and that is when we shall say what our fees will be were which will have to be a great Vicky so you value the estate have you included my mother's estate as well



**PG:** no no no we are not administering your mother's estate.

**VK** I understand that so there is that matter of course and that is why I'm asking when you charge your 10,000 because my mother was also there right she's the one my mother my father is buried too in case you forget that little part

**Eliud** I think what you're saying Vicki those are the issues you're saying let us list them so your mother had her own things she had her own things she had worked for those are issues we are saying bring them on the table listen and then we collect from all the sources we are not throwing away we're not stopping actually our work is to make sure your people are at peace and you'll get what belongs to you and I can say we are not here to exploit or to get my amicos and I think also

**VK:** you went to Godwin to ask about the companies correct.

**PG:** Yes

**VK** so that was a long meeting correct, and you asked about everything about the companies so are you valuing the estate right now I think even he was a little surprised personally I was shocked but it's good to know.

**PG** no we are the executors.

**VK** I understand that

**PG** Godwin is as we speak the company secretary so that has said in the will the way the percentages will be, so I think the rational thing to do is to find out from him what is the status as executors we need to know

**Vicki** so that meeting also was you know the fees that you're charging.

**Peter** oh absolutely because it's not for our individual benefit if he was an executor of an estate he would do exactly the same thing I am surprised that he is surprised he would want to know what is the status and collate all the information together so that at the time you're applying for probate you know exactly what you're doing so and we have not even finished with him because having told us the challenges that he saw in our minds if it is possible we would be requesting all the beneficiaries to be together to meet together and he will make a presentation of exactly how he sees the status of the companies how they are

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(xx iii)

**Vicki** :my mother's estate is therein and she had some shares and I don't know whether you understand so when you say he gives a presentation I don't think it's everybody's business to know about my mother's estate isn't that a bit erroneous should we not be separate and say this is what mom was worth oh what she worked for she did contribute she did work they did start the companies together so I'm just trying to start to and we keep on having these meetings for which you charge 10,000 he's charging 10,000 he's charging 10,000 there's so many meetings who is going to be charged also who is also going to jump in and be charging the estate (19:01)

19:07 - **PG** -OK for us to be able to move your data stay forward we need to have all the information.

**VK** I understand that

**PG** I hear you about mom's estate we will meet them we will need them to know all the details about your mom's estate and separate it if it is in the will of your dad or if there has been commingling of assets it has to be done.

19:37 - **VK** of course it has to be done that's what I'm telling you Elliot we have to gather information.

**PG** of course we have to gather information for us to have the information we need to have all these meetings otherwise the next thing that will happen is we will be accused of having gone on a frolic of our own that did not even bother to sit with you to get the information to assist us to drive the process forward.

**VK** well last time you did say you will consider whether to meet with me it's on e-mail so thank you for the e-mail remember I couldn't make it because I was sick so it's good to have considered and agreed.

**PG** Vicki it's not that we're not going to meet you, no it's written that we shall consider.

**PG** to meet you was going to happen either way whether it was that date whether it was going to be convenient or not it is not whether we are considering meeting you or not let's just clarify that.

**Vicki** so for the record this is the second time we're having this meeting the first time was just a few days after we had put that under the soil so I just want to clarify that that this is the second meeting I'm having with you I think it's important for the record

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(xxiv)

**PG** it is not soon after I remember.

**VK** no it was soon after we put him under the soil it was before the memorial service even.

**PG** no we put him under the soil it was it wasn't it in October.

**VK** no it was the 19th of November it was a Saturday and within days we were summoned.

**Eliud:** not by us not by us

it was.

**PG** oh hold on I think he's calling back PG steps away to take a call from pastor Kimani. I can hear "hello I am here at Warwick center come like you're coming towards Limuru road" He gives him directions; Pastor says he is near the US embassy.

**EK:** we had said we're going to meet each one of you not to have many meetings but you know after reading the Will in case there any issues like now you're talking about your mom's assets so that's why we said we have to meet probably and then we can have our purpose together these issues which are on the table when all is said and done some decisions will have to be made there are things we cannot know so we had to meet you then we're told you are not feeling well and then we said when you'll be alright I heard you had a serious flu so we said it's all right and Peter communicated with the others and told them you are not feeling well you did not tell anybody who it was and that's why we're here

**Vicky:** And Peter I'm sorry I only saw your e-mail that morning PG it's OK I think it's more valuable if we move forward VK yes, I agree PG like what anybody is.

**Eliud** said we have met the other beneficiaries to the Will. Of course, we met Hellen in place of Adam and Alan we have also met Yvonne and Alexis before she flew out so we try to meet everybody who has been named in the will

**VK** I don't know about anybody flying out

**PG** she is not at least the time that we met after that I was told she's gone back to school in Australia

**VK** I don't know anything PG so we've explained the issue we've explained the issue of meeting everybody who was mentioned in the Will until that point

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(xx v)

pastor Mwaura walks in

VK hello

PG Karibu pastor

PG so meet the third executive executor pastor Mwaura.

PG so we were just getting to see where we're at and a few of the questions that Vicki has and I've told Vicki we have met the others and the reasons why we're meeting and I just said that until that point if you still have questions please feel free either to share with them now or to think about it and to send us an e-mail I'm not imposing a deadline let me say that you can send us as soon as you can so that we can get moving so supposing that in case you have any other questions

VK not so far

PG do you have any questions for Vicki.

PG alright there's one more issue that you need to think about because we as executors have already been told about it and that is concerning one more individual who is not named in the will you know about Wambui

VK I know of her. Wambui has through her lawyer Judy written to us at least a letter I have spoken to one boy several times and we have also met one boy and from what she told us and what she says her relationship with your dad it would appear that she's a biological daughter and she says she has a DNA report at some point so she's also saying that she needs to be considered under the Will or some provision to be made for her

OK it is good that you know about it as you are beneficiaries so that in your response you will let us know what is your feeling about Wambui's entitlement because you know as a lawyer biological children have an entitlement whether they have been named in the will or not

OK so that is another issue which we need to consider and come back to us

VK: well obviously this is going to court so

PG no

VK: I mean definitely so I believe we shall revert we reserve our comments if she send if she sent Judy Thongori

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(11/11)

**PG:** not Judy Thongori, Judy Guserwa.

**VK:** Well I think she wrote to you an e-mail sometime in 2015 an e-mail not to you particularly but to one of your lawyers I I forget his name I can't remember anyway one of your lawyers and she did articulate all that but then she said that she didn't have a relationship with dad but at least she has DNA there are those who don't have DNA and it's interesting because their mothers don't even know who their fathers are right and so that would be another issue

**PG** amongst the ones named in the Will.

**VK** we shall get to that we shall get to that.

**PG** I'm only dealing with the Will.

**VK** understand.

**PG** the only other person I know of who has approached us who is not in the Will is Wambui. None of the others Helen is not making her case as far as I know.

**VK** no she can't but she doesn't know who the father of her child Alan is so all these are things that really should come out she has said that she cannot remember who the father is and so she does not know who the father is and so that's another issue.

**PG** OK I'm not challenging any beneficiaries but for me for me when a person is named in the Will whether they're children or not that is an entitlement. No I'm not lecturing but I'm just saying whether this child was dad's or not if his named in the Will then

32:12 **VK** OK there are other issues we shall get to them when we get to them

**PG** as to the issues of going to court or not it is not for me to decide all I'm doing OK obviously those who are claiming will have to go to court so I know we'll end up there and that is OK.

**PG** yeah but for us who are executors we now want to progress the matter so far I will circulate to everybody

32:30 **VK** what's his name again Joshua do you speak English because last time you seemed to be struggling, I was not sure

33:01 **PG** So what we want to do now that we have met you is to say we have met everybody individually the other question which I have for you is would

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(XXV)

you be comfortable in us calling all the beneficiaries together so that we can all decide to meet on the way forward we

33:27: **VK** that is fine PG you'll be comfortable with the meeting with all the beneficiaries so that we are organizing everything

**VK** and the purpose is?

**PG** exactly the purpose is one to agree we shall circulate the schedule of what everybody has said and to get comments on what.

33:52 **VK** just curious if it's a zoom meeting you're also going to charge that 10,000

**PG** no no, no, no, no, to me it's I believe it has to be a physical meeting.

**VK** no it's just that I sit on a board I sit on a parastatal we have virtual meetings.

**PG** no if it's better we don't charge but they are travelling there's wearing tear on their cars if you look at the AA rates it will be very close to what we're charging but not higher so if it's a Zoom meeting.

**VK** OK so why is everybody insisting on these physical meetings.

34:38 **PG** OK we're doing because the way we're communicating it would not be the same if we're having a virtual meeting vacate

**VK** so how many more physical meetings are we going to have is it every week every month I'm just trying to tabulate

**PG** if we have one meeting and agree on the way forward then that's it everything else from there we'll be by e-mail unless of course a beneficiary calls for a meeting and wants a physical meeting that's different but for us to get off the ground to me it was critical to meet everybody to have this discussions so my view is that we can give you....I don't know how much time you want to give us your comments or views on the Will and this discussion we've had so that I can then collate everybody's views and share them at the same time in one e-mail and with that e-mail I'll also be proposing that we need to have a meeting with all of us proposed let me just call it a plenary meeting one to agree on Godwin doing a presentation so that everybody can see the state of the companies and what needs to be done and two agreeing on whether it's OK for Kaplan and Stratton applying for probate and what their fees will be and I'll also share my views in addition to just applying I need also to make an application for the purposes of holding the Will secured we have

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made such applications for other Estates so that we don't have the press looking around and publishing everything about the will those are my thoughts as a way of moving forward OK alright

**PG** do you agree on that process?

**VK:** yes, the process is fine by me you asked about my comments about the Will it's best that I reserve them for now I do have a couple of questions did you draft it

**PG** no

**PG** I signed off on the foundation as a trustee yeah we are not witnesses

**VK** there was commentary show and I think he did as well

**Eliud:** let me tell you what my uncle did he called me at Muthaiga he did not even want me to read he told me you shall read when I won't be there so me I signed I I did not even sign there I went to Westlands and I signed

**VK** but you said you signed at the club so which is it did you sign in Westlands or in Westlands

**Eliud** I signed in Westlands in Jane's office

**VK** to Joshua so you signed as well Joshua in Westlands

**VK** so when did dad meet you one of my father

**Joshua** I meet with him many times

**VK** no when did you first meet him that's what I'm asking you

**VK** Joshua first time I think it is around 2014. (PG glares at him) Or was it 2013 (PG looks at him and gives him a bad look he says he can't remember)

**VK** you can't remember where, but you said you met him many many many times

**Joshua:** Yes, I met him many times yes.

**VK:** and you signed in signed in Westlands as well? OK in his presence or?

**Joshua** to Eliud, no. Kimani Richu was there I met Jane myself to Josh

Joshua you are with Kimani Richu or Jane and so Jane has had custody of it correct Peter, I think you should know

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(xxix)

39:49 - **PG** the Will, we never signed it. He asked us if we were willing to be the Executors of the Will and we agreed I mean I've known him for a while the only two people who signed the Will were .....

**VK:** Richu and Jane. It has been in Jane's custody throughout, correct?

**PG** you know Jane and William are the witnesses to the Will so we cannot speak for them but for the trust settlement.

**VK:** So, who called you so that we could meet that day just as we had just put dad under the soil? Was it Jane because you knew all along?

**PG** she was the one who knew all along what we did is because I knew that he had named me, and he had passed on when he passed on because he had told me about the will

**VK:** by the way it's interesting I never saw you at the house at all.

(To Eliud) you came to pray, you came to pray with us, you came to the funeral you came to the memorial hmm.....

**VK to pick PG** interesting I never saw you at all. There are those who you expect to show up but it's okay.

**PG** so when it happened and of course Jane calls and told us you better read the Will or find out from the Will whether he said anything about where he wants to be laid to rest or whatever special arrangements he wants and she told me okay, he said he wants to be laid next to his wife and I said that's fine, that's fine.

**VK** he always said that he always told us that he wanted to be buried next to his wife of course there are those who claim wrongly to be married to him but that's for another day **PG** so that's fine we said let the process go on we shall deal with everything after that so your question was about the will **VK** it has been in Jane's custody throughout and Kimani Richu is likely the one who drafted it

**PG** your dad was a lawyer and that distinguished lawyer.

**VK** and he spoke impeccable English **PG** yes and he knew who he wanted to entrust

**VK** if you knew that you would know his kind of English but let's just leave it there

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(xxx)

**PG** he would know how he knew how to take care of his affairs and who he wanted to take care of them.

**VK** he was meticulous.

**PG** but that is how the Will is.

**VK** understood I just wanted to confirm that all along Jane has had the will.

**PG** as far as I know.

**VK** so it's between her and Kimani Richu, right? I think we can confirm that those are really the only issues or the only questions that I had and thank you for confirming.

**PG** right that is correct.

**PG** unless you have any other questions, we told you what our game plan is and what we how we want to move the process forward I will wait for your e-mail and then.

**VK** and the e-mail confirming?

**PG** if you have any issues or any comments on the issues of moving the process forward let us collate them with those of the other beneficiaries, we will then circulate all the comments and then I will propose that we have a meeting.

**VK** to Joshua: is there a problem? Joshua staring at her is there a problem I don't like the way you're looking at me.

**Joshua:** I don't have any problem OK.

**Vicky** just look at him. I don't like the way you're looking at me.

**PG** it's OK Vicky

**PG** so once we've got your comments we collect everything right and then I will also be proposing that we do have a meeting a plenary if everything everybody is comfortable if you still want to have another individual meeting that is up to the beneficiaries to decide to propose on the on the way forward because as it is I think we should they seem to be acting expeditiously to move the process forward we don't want to be seen that we are not taking we are not executing our duties as executives

**Vicki** Peter I thank you for the update as I see this this is again the second time we're meeting we met very soon after daddy was under the soil it was just

three or four days right after and so I did not know about the other meetings in between but that is OK I do appreciate our meeting here you have explained from what I understand if I have any concerns about moving forward then I should send you an e-mail correct and then you likely will want to have what you're calling a plenary meeting but if people decide to have individual meetings then so be it

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**PG:** you have to accept everybody's prerogative.

**VK** OK

**VK** and after that you will file for probate OK and what does that imply let's just pretend, I don't know from your perspective.

**PG** it is for us as the executors to apply to court for the grant of probate it's a very simple and straightforward application.

**VK** PG because there is a Will we are applying for probate because he has a Will we're playing for that if you didn't have a will it would be intestate we'll leave it at that and like I have said I think it's not just the grant of probate we should have to apply to have his Will held securely and not to be left in the open something I am considering as a matter of urgency preserving his he was a confidential person it is something I'm thinking about

**VK** the original copy do you have it or does Jane have it

**PG** I have the original copy they gave it to us at that meeting remember the meeting we had the first meeting.

**VK** please forgive me Peter I just buried my father for you might not understand vacate but I was you don't even know I was there when they were resuscitating my father so it was quite a blur for me yeah so pardon me for not remembering so you have custody of the original Will correct?

**PG** - I have the original will when we met on the 29th of November, I just wanted to confirm the date Vicki well we had buried that 10 days before that is the accurate date so thank you very much for the meeting.

**PG** bye bye thank you take care.

Calculations > Meetings believed to constitute strategy not only for this year's elections but for 2022 battle

# Ruto in myriad meetings to plot 2022

In the past three weeks, DP has hosted over 10 political meetings at his rural home in Sugoi and in Karen

BY JUSTUS WANGA  
wangan@nation.com

Deputy President William Ruto has arguably hosted more political meetings in the last three weeks than any other politician in the country. Going by the records, not even his boss, President Uhuru Kenyatta, has matched this.

Just last Tuesday, he played host to opinion leaders drawn from all the counties from Rift Valley at his Karen home. Coming on heels of this was the meeting with Jubilee Party politicians from Nairobi to explore the possibility of agreeing on a formula to share the seats by next month to avoid splitting the votes to the advantage of the opposition.

Not to be forgotten is the number of delegations he hosted at his Sugoi home over Christmas and New Year holidays.

With politicians from across the country trooping to the Uasin Gishu home to pledge their allegiance, there are murmurs that this could be part of Mr Ruto's 2022 mobilisation strategy even as he drums up support for President Uhuru Kenyatta's re-election this year.

While the phenomenon is not completely new to Mr Ruto, with at least 10 delegations being received recently, the intensity has grabbed public attention.

He frequently meets his close associates from the Rift Valley at his rural home, a lean team that will be instrumental in planning Mr Kenyatta's succession and Jubilee secure a second term in office.

At the Karen home of former

President Daniel Moi and Gatundu home of Jomo Kenyatta gained notoriety in their heyday as places where decisions with far-reaching political implications for the state were made. In them, ministers were summoned, sacked and new ones appointed. They were the real symbols of power.

Those lobbying for state jobs would send elders and brokers to put in a good word. In the case of the senior Kenyatta, stories are documented to the effect that cabinet meetings were even held in Gatundu.

Sugoi has become such a special place for the DP to meet his strategists away from the ever moving eyes in Nairobi.

Energy Cabinet Secretary Charles Keter led a team from Bomet and Kericho counties, while his Water and Irrigation counterpart Eugene Wamalwa was the head of the contingent from Trans Nzoia.

### Seek appointment

But unlike Mr Kenyatta and Mr Moi, Mr Ruto is number two in command and not the principal tenant at the State House.

There are murmurs that accessing Mr Ruto is easier than reaching the President, leading more people to seek appointments to see Mr Ruto either at his Karen home in Nairobi or Sugoi.

The plush home in Uasin Gishu has been a beehive of activity. At one occasion it hosted about 10,000 people and in the last two weeks it has seen an equivalent of two delegations daily drawn from different parts of the country.

It is a costly affair but for a man known to have deep pockets like the DP, something he has never hidden from the public, he has done it effortlessly with some of the visitors saying they were showered with lots of cash "as an appreciation for honouring the invite".

One delegate from Kakamega

told the *Sunday Nation* that he took home Sh5,000 at the end of the trip. The groups were also treated to meals and drinks.

In the words of Jubilee's Deputy Chief Whip and MP for Mumsisi East, Benjamin Washiali, the visitors were given a befitting treat.

"I led my people to eat and dine with the DP. As a politician, such occasions, rare as they come, give us a chance to be recognised by our people back home. If I may ask, how often do ordinary people get a chance to mingle with someone in the calibre of a deputy president?" he asked. Mr Washiali maintained that the proximity of Sugoi to the larger western parts of the country has made it a favourite stop for them.

"Why should we go all the way to State House when Sugoi is a stone's throw-away? What I know is that he hosts us with the full knowledge and permission of the President," he said.

The *Sunday Nation* was unable to get a comment from Mr Ruto's media handlers on the total cost of fetes, but it is obvious he has spent a fortune to entertain them.

A number of those who attended the meetings disclose that the DP did not hide the fact that he is looking beyond the August polls. The motivation of the meetings, they say, is to create other political alliances in the post-Kenyatta era were the marriage with the central Kenya bloc to dissolve.

### Narok and Baringo

They were well targeted in such a way that a multi-ethnic county like Narok had two groupings, one comprising the Maasai and the other one the Kipsigis. It is instructive to note that Narok and Baringo are some of the few places in the larger Rift Valley where Mr Ruto is facing rebellion and he seemed determined to root it out before the polls.

"The onus is on leaders at the



Deputy President William Ruto greets aspirants as he arrives for a meeting with Nairobi Jubilee leaders at his Karen office last week.

- Diary**
- December 28, 2016: Mr Ruto meets a delegation from Baringo County
  - December 29, 2016: Mr Ruto meets a delegation of leaders from West Pokot and Uasin Gishu counties
  - December 30, 2016: Mr Ruto meets a delegation of about 1,200 people in Narok led by Governor Samuel Tunoi
  - December 31, 2016: The DP hosts thousands of residents and leaders for a thanksgiving service at his Sugoi home. He later accompanied the leaders in ushering in the New Year at Elkoret Sports Club
  - January 2, during a meeting with residents of Trans Nzoia County at Sugoi
  - January 3, 2017: DP hosts a delegation of leaders from Bomet and Bungoma counties in separate meetings where he assisted them that the Jubilee Party will hold free, fair and credible nominations
  - January 4, 2017: DP hosts a delegation of leaders from Uasin, Malava, and Lukuyani constituencies

grassroots and national level to preach unity and build bridges across communities. This will foster brotherhood and belonging. We can only move our country forward if we are one people," Mr Ruto said after hosting the group from Kakamega on January 4.

Bureti MP Leonard Sang (Jubilee), who was in Sugoi, admitted this was part of the build-up to 2022 campaigns.

"The whole thing is about building networks. You need friends from across the spectrum if you are serious about your political ambition," he said.

Defending Mr Kenyatta against accusations of not being accessible, Starbe MP Maina Kamanda said the President's diary is normally busier than his deputy's and this should not be

interpreted as Mr Kenyatta's resolve to avoid the masses.

"You will realise that given the urgency and plurality of issues competing for his attention, he may not be as available as one would want but that said, he is always there for all who want to see him," he said, adding that he would have led a Nairobi delegation to Sugoi had he been in the country at the time.

During the meetings, where the media were locked out, the DP also assured political aspirants that Jubilee Party will hold free, fair and credible nominations.

The delegations have triggered questions as to Mr Ruto's mode of operation.

To some, this makes him come across as a schemer and over-ambitious.

## Firm linked to former AG sues over Sh85m deal

BY BENSON WAMBUGU  
benwambugu52@gmail.com

A company associated with former Attorney-General James Karugu has sued a Nairobi lawyer for professional negligence arising from a bungled Sh85 million property deal.

Centurion Holdings Ltd is accusing lawyer Kimani R'chu of negligence when he handled the botched transaction relating to purchase of two land parcels in April 2014 and now wants him to refund Sh17 million the firm paid as deposit.

In an application filed in the High Court, Centurion is urging Justice Francis Tunoi to freeze Mr R'chu's bank account at NTC Bank pending the determination of the suit against the advocate and his firm, Kimani R'chu and Associates.

The judge is scheduled to

deliver a ruling on the dispute later this month.

But Mr R'chu has denied claims that he owes the Karugus any money, and says any funds in his possession should offset outstanding legal fees he is owed by Centurion.

He has lodged his bill of costs for taxation by the court, demanding payment for services rendered.

The dispute arose from a property deal Centurion Holdings entered into with Kathumo Holdings Ltd for purchase of the properties in Nairobi for Sh85 million.

Centurion claims that although it paid the deposit of Sh17 million, Kathumo opted out of the deal, prompting Centurion to move to court seeking orders to have the properties transferred to it or alternatively be paid damages

for breach of contract.

The firm accused Mr R'chu of professional negligence for failure to register caveats against the two properties.

Such caveats are normally issued to protect the interests of the buyer pending completion of the sale transaction.

"It was an implied term of the contract that the defendant would act professionally, exercise skill, care and diligence in effecting transfer of the two properties and instituting proceedings against Kathumo Holdings for breach," stated the

firm in a sworn affidavit.

The lawyer is also faulted for misleading the company that he had registered caveats when records at the lands office showed the due process was not conducted.

Further, Centurion alleged the lawyer used the deposited funds for his own benefit.

Centurion says it sought the services of another law firm, LJA Associates, to take over the matter from Mr R'chu.

Court documents indicate that when LJA Associates wrote to Mr R'chu to hand over the files, he declined, saying he would do so only upon settlement of his legal fees.

LJA then wrote to Triple OKLaw Advocates, who confirmed that indeed the lawyer had received the refund of Sh17 million paid by Centurion for purchase of the two parcels.

**Sh17m** Cash that Centurion company claims it paid as deposit for purchase of two pieces of land

## Aspiring Woman Rep happy with President's assurance

BY ERIC WAINAINA  
ewainaina@nation.com

Nairobi's aspiring Woman Representative Wangui Ng'ang'a has said the declaration by President Uhuru Kenyatta and Deputy President William Ruto that there are no preferred candidates for any elective seat under Jubilee Party has put to rest a debate that threatened party unity especially in the city.

Last week, a list, allegedly drawn by a group of Nairobi aspirants and circulated on social media, claimed that the Presidency favoured some aspirants over others for the city positions especially governor, senator and woman representative. Along with it were suggestions that some political brokers preferred negotiated democracy through which some aspirants would be given the party ticket without



undergoing nomination.

"There are a few aspirants who are hell-bent on ensuring that Nairobi remains in the hands of Opposition by creating all manner of confusion in the party. We were all at Kasarani when the Head of State assured us that there are no preferred candidates for any position below the Presidency and Nairobi cannot be an exception," she said, adding that aspirants should not be afraid of going for nominations.

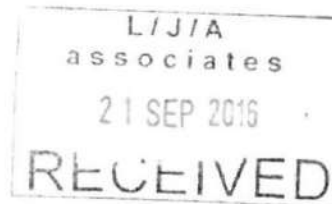


When replying please quote our reference

**Our Ref :** 3/2527/008  
**Your Ref:** 2/CO082/001

20<sup>th</sup> September 2016

Messrs LJA Associates  
3<sup>rd</sup> Floor, Cavendish Block  
14 Riverside, Riverside Drive  
P O Box 49594 – 00100  
NAIROBI



Dear Sirs


**Sale/Purchase of Plot No. 12565/37 and L R No. 12565/38**  
**Kathumo Holdings to Centurion Holdings Limited**

We acknowledge receipt of your letter dated 7<sup>th</sup> September 2016 together with the Notice of Change of Advocates.

The deposit of **Kshs.17,000,000/-** together with interest of **Kshs.875,276.45** were paid to Messrs Kimani Richu & Company Advocates on 30<sup>th</sup> March 2015 following a request dated 23<sup>rd</sup> March 2015. Please find enclosed copies of the following documents.

1. Kimani Richu & Associates letter dated 23<sup>rd</sup> March 2015 requesting for the sum of Kshs.17 Million.
2. Our letter dated 30<sup>th</sup> March 2015 instructing our bankers.
3. Our letter dated 2<sup>nd</sup> April 2015 advising Kimani Richu & Associates of the deposit of the funds.
4. Messrs Kimani Richu & Associates letter dated 7<sup>th</sup> April 2015 acknowledging receipt of the funds.

Yours faithfully  
**TRIPLEOKLAW ADVOCATES LLP**

  
**J. Kipkemsi Kibet**  
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**Going over & above**

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KIMANI RICHU & ASSOCIATES, ADVOCATES

ADVOCATES, NOTARIES PUBLIC &  
COMMISSIONER FOR OATHS

REHANI HOUSE 11TH FLOOR  
KONANGE STREET  
P.O. BOX 350  
00100 NAIROBI  
KENYA

TELEPHONES:

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Tel: 343984 / 313262

Cell: 725-467169

Fax: (+254-20)343984

E-mail: krichuadvocate@yahoo.com

stajanie@yahoo.com

PIN No. A00115710U

VAT No. 0154994G

Sam K.T Richu  
LL.B.(Hons.) (NBI) Dip (KSL)  
LL.M (Aberdeen, Scotland), C.P.S (K)

ASSOCIATE  
RAHAB N. MWATHI  
LLB (Hons) (KIU)Dip (KSL)

Our Ref: KR/JBK/KHL/TR/14

Your Ref: ADMIN/HPL/122

Monday, March 23, 2015

Messes. Ochieng Onyango Kibet & Othman

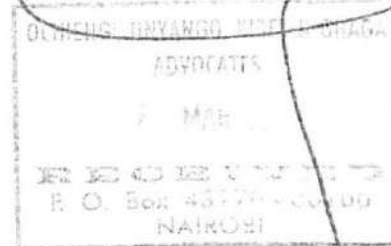
Advocates

MCK Gardens House, Wing C, 5<sup>th</sup> Flr

1<sup>st</sup> Ngong Ave. Off Bishops Road

P.O. Box 43170-00100

NAIROBI



D1  
(XXXV)

Dear Sirs,

RE: SALE/PURCHASE OF PLOT NO.12565/37 & L.R.NO.12565/38  
KATHUMO HOLDINGS TO CENTURION HOLDINGS LIMITED

The above matter refers.

During the mention of the above mentioned matter on 4<sup>th</sup> February 2015, your Advocate, Mary Sheila Onyango Oduor informed the Court that your client has already disposed of the suit premises in blatant disregard of the Sale Agreement dated 10<sup>th</sup> April 2014.

In the circumstances, you have got no plausible reason to continue holding the 20% deposit paid to you by our client.

Kindly credit the same together with the interest earned thereon to the following account;

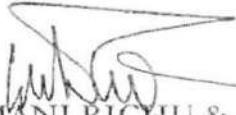
Account Name	-	Kimani Richu & Associates
A/C No.	-	1000233575
Bank	-	NIC
Branch	-	Kenyatta Avenue
Account Type	-	Kenya Shillings
Swift Code	-	NINCKENA

When replying please quote our reference

D1  
(XXXVI)

Kindly note that, our client intends to continue prosecuting his claim for damages for breach of contract.

Yours faithfully,

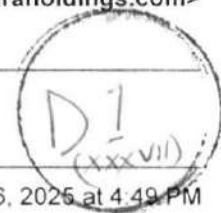


For: KIMANI RITHU & ASSOCIATES  
*Advocates*

cc: Client



Victoria Karugu <vnkarugu@matharaholdings.com>



Re: kim rich

1 message

Mathara Holdings Limited <info@matharaholdings.com>

Fri, May 16, 2025 at 4:49 PM

To: vnkarugu <vnkarugu@yahoo.com>, Victoria Karugu <vnkarugu@matharaholdings.com>

Dear Vicky,

I have also attached the letter where Kimani Richu asks for the refund of the deposit.

Regards,  
Brenda Irungu,  
Office Manager.



**Mathara Holdings Ltd.**

<b>Address</b>	Kiamara Estate P.O. Box 6-00900 Kiambu	<b>Telephone</b>	020 2011651 020 2012023
<b>E-mail</b>	info@matharaholdings.com	<b>Mobile</b>	0727 256 282
<b>Web</b>	matharaholdings.com	<b>Fax</b>	020 2089714

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On Fri, 16 May 2025 at 16:41, Mathara Holdings Limited <info@matharaholdings.com> wrote:

Regards,  
Brenda Irungu,  
Office Manager.



**Mathara Holdings Ltd.**

<b>Address</b>	Kiamara Estate P.O. Box 6-00900 Kiambu	<b>Telephone</b>	020 2011651 020 2012023
<b>E-mail</b>	info@matharaholdings.com	<b>Mobile</b>	0727 256 282
<b>Web</b>	matharaholdings.com	<b>Fax</b>	020 2089714

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D1  
(xxxviii)

----- Forwarded message -----

From: **Mathara Holdings Limited** <info@matharaholdings.com>

Date: Fri, 16 May 2025 at 15:45

Subject: Fwd: kim rich

To: Victoria Karugu <vnkarugu@matharaholdings.com>

Dear Vicky,

Please find below the details I recovered from the last update provided by Kimani Richu.

Additionally, I have copied and pasted an email from Mr. Singh, in which he has clearly outlined the sequence of events related to the purchase of the Nyari Property. Kindly pay particular attention to point number 14, where he explains how Kimani Richu requested a refund from TripleOKLaw Advocates.

**Our Ref:** 2/C0082/001 **Your Ref:**MHL/K&S/RM/KRM/9-16/bw **Date:** 27<sup>th</sup> September 2016

Centurion Holdings Limited

P O Box 6-00900

KIAMBU

Attention: Eric Karugu

E-mail: info@matharaholdings.com

Ms. Vicky Karugu

Mathara Holdings Limited

Kiamara Estate

Kiambu, Kenya.

E-mail: vnkarugu@matharaholdings.com

Dear Sirs

**REF: SALE/PURCHASE OF PLOT NO. 12565/37 & AND L.R. NO. 12565/38**

-

We refer to the above matter in which we have now perused the contents of your files.

We have found the following:-

1. The agreed purchase price for L.R. 12565/37 and 38 was Kshs. 85,000,000/-;
2. That on 7<sup>th</sup> April 2014 Mr James Karugu instructed Consolidated Bank Limited to debit his account with

Kshs 88,420,000/- which was then credited with Kimani Richu & Associates, Advocates on 8<sup>th</sup> April 2014;

3. A deposit of Kshs. 17,000,000/- was paid to the Vendor's advocates on 9<sup>th</sup> April 2014 to hold as stakeholders pending transfer. A Sale Agreement was thereafter executed with Centurion Holdings Limited as purchasers;

4. That in addition to the Kshs. 88,420,000/- paid to Kimani Richu, by letter dated 2<sup>nd</sup> May 2014 he requested an additional Kshs. 1,439,900/- to be paid to him as legal fees. There is no indication in the file as to whether these monies were paid;

5. That the transaction did not proceed as the amount owing to the Chargee, NIC Bank, exceeded the purchase price;

6. In July 2014 Centurion Holdings Limited filed suit *ELC No. 946 of 2014, Centurion Holdings Limited vs. Kathumo Holdings Limited* seeking, inter alia, orders for specific performance. This matter is pending determination;

7. That it would appear that the balance of the monies being held by Kimani Richu were utilized in the following manner:-

	<u>Kshs.</u>
i) Deposit	88,420,000/-
ii) Less 20% Deposit	17,000,000/-
iii) Disbursements	84,935/-
iv) Purchase Price & Legal costs of Flat C9	27,234,700/-
v) Purchase Price & Legal costs of Flat 11	27,234,700/-
	-----
Total Withdrawals	71,554,335/-
<b>Balance Held</b>	<b>16,865,665</b>
	=====



Kimani Richu's letter of 8<sup>th</sup> August 2014 to this effect is attached.

8) That by letter dated 29<sup>th</sup> December 2014, Kimani Richu informed you that pursuant to the purchase of a further property, the Brookside Apartment for Kshs. 16,865,665/-, he had utilized the entire deposit paid. A copy of the letter is also attached.

9) It would appear that Centurion Holdings Limited (through Eric Karugu) wrote to Kimani Richu on 11<sup>th</sup> August 2015. Unfortunately, we do not appear to have a copy of this letter in our records and shall be grateful if this would be sent.

10) However by letter dated 18<sup>th</sup> September 2015, Centurion Holdings Limited advised Kimani Richu to "conclusively settle" the suit and by letter dated 21<sup>st</sup> September 2015, Kimani Richu informed you that they would attempt an amicable settlement.

11) By letter dated 26<sup>th</sup> January 2016, Centurion reminded Kimani Richu of the need to settle the matter amicably.



12) By letter dated 28<sup>th</sup> January 2016, Kimani Richu wrote to Centurion Holdings informing them "our counterparts are quite adamant in settling this matter amicably in terms of damages for breach of contract and costs of the suit."

It is not clear what the advocates meant. However, it would suggest that their counterparts had declined to settle the matter amicably as Kimani Richu then advised that in view of the damages for breach of contract and costs involved, they would continue to pursue the claim in Court.

13) It is at this stage that the relationship between Centurion Holdings and Kimani Richu & Associates Advocates deteriorated and there does not appear to be further communication on the status of the case.

14) LJA Associates Advocates were then instructed to take over conduct of the matter and our firm wrote to TripleOKLaw Advocates on 7<sup>th</sup> September 2016. They informed us that the deposit of Kshs. 17,000,000/- together with accrued interest of Kshs. 875,276/45 was paid to Kimani Richu & Associates Advocates on 30<sup>th</sup> March 2015. The payment was pursuant to a request by Kimani Richu.

15) Our firm's letters to Kimani Richu on the amounts he is holding has gone unanswered. However, in his bills of costs both dated 7<sup>th</sup> September 2016, he has failed to give any credit for the monies received from TripleOKLaw Advocates.

16) It is obvious that the advocate has acted unprofessionally and unethically in not informing you that he has been holding your funds since March 2015. It would also

appear as though his intention was to mislead you into pursuing a lengthy claim for damages whilst he held onto the funds.

We are of the opinion that a complaint should be made to the Advocates Complaints Commission and suit filed to recover the monies that he is holding.

However, before doing so, kindly clarify:-

1. Which company purchased Flat C9, Flat 11 and the Brookside Apartment referred to hereinabove;
2. Kindly provide copies of the Sale Agreements together with the itemized fee notes submitted in respect of these purchases;
3. Whether Kimani Richu's letter of 23<sup>rd</sup> March 2015 to TripleOKLaw requesting a refund of the deposit was copied to you and whether it was written on your instructions.
4. Whether Kimani Richu informed you that he had received the refund as per his letter of 7<sup>th</sup> April 2015;
5. Whether the Kshs. 1,439,900/- he had requested as legal fees on 2<sup>nd</sup> May 2014 was paid.

Please also confirm that you have now settled our Deposit Request Note as discussed between your Ms. Vicky Karugu and our Mr James Singh.

Yours faithfully,

**LJA ASSOCIATES**

J.G. SINGH

Regards,  
Brenda Irungu,  
Office Manager.



**Mathara  
Holdings Ltd.**

<b>Address</b>	Kiamara Estate P.O. Box 6-00900 Kiambu	<b>Telephone</b>	020 2011651 020 2012023
<b>E-mail</b>	info@matharaholdings.com	<b>Mobile</b>	0727 256 282
<b>Web</b>	matharaholdings.com	<b>Fax</b>	020 2089714

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----- Forwarded message -----

From: **Vicky Karugu** <vnkarugu@matharaholdings.com>  
Date: Thu, 29 Sept 2016 at 09:50  
Subject: Fwd: kim rich  
To: Mathara Holdings Ltd. <info@matharaholdings.com>

Here it is! Dated Jan 16, 2016. Attach it on email and also print for James. Clip it to the file. Thanks.

Sent from my portable payphone.

-----  
Cc:

This is the last response from Kimani Richu

Regards


**Eric Mwaura Karugu**

Managing Director  
Mathara Holdings Ltd

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---

 **triple o letter0001.pdf**  
1141K



D1  
(LII)

**NOTES:**  
**SUMMARY**

UPPER PART (around the Lodge)	74	(to be sold at a later date)
LOWER PART	95	(intended for immediate sale)
<b>Sub-total</b>	<b><u>169</u></b>	(Total not sold as at 8.12.2012)
ADD: Total plots already sold	23	
<b>TOTAL PLOTS FOR SALE</b>	<b><u>192</u></b>	
ADD Total for JBK	6	(20/338, 356, 357, 441, 442, & 443)
ADD Staff Quarters & Farm Office	6	(20/339,436,437,438,439 & 440)
ADD Borehole No. 2	1	(20/414)
ADD Forest	4	(20/281, 374, 375, &376)
ADD Lodge site (initially <i>11 plots of 14.23 acres</i> but now 1)	1	(20/455)
<b><u>SUB-TOTAL</u></b>	<b><u>18</u></b>	
<b>GRAND TOTAL NO. OF PLOTS FOR PHASE III</b>	<b><u>210</u></b>	

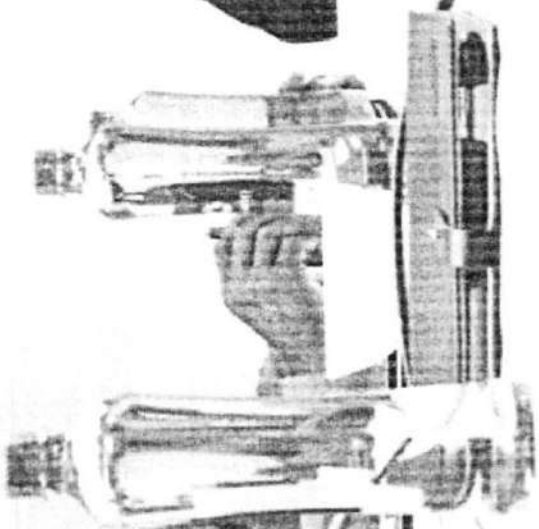
**ALSO:**

**OLD Title No.**

**New Title No.**

1. 20/341	20/456
2. 20/342	20/457
3. 20/343	20/458
4. 20/344	20/459
5. 20/345	20/460
6. 20/346	20/461
7. 20/347	20/462
8. 20/348	20/463
9. 20/349	20/464
10. 20/350	20/465
11. 20/351	20/466
12. 20/352	20/467

D1  
(LIII)



D1  
(LIV)



D1  
(LV)



D2  
(1)

ID NO. 22343062  
NAHASHON GITAU NG'ANG'A  
C/O MATHARA HOLDINGS LIMITED  
KIAMARA ESTATE  
P.O BOX 6 - 00900  
KIAMBU.  
M/NO. 0722294302

24/8/2025  
1130HRS  
KIAMARA ESTATE

**OTHER PARTICULARS**

HOME COUNTY - NYANDARUA  
S/COUNTY - KINANGOP SOUTH  
VILLAGE - GITHIORO  
CURRENT RESIDENCE - KIAMARA ESTATE


**STATES AS FOLLOWS**

I am a male adult of the particulars above and an employee of Mathara Holdings Limited. I currently live at Kiamara Estate, in Kiambu. It has been explained to me by investigators from the Directorate of Criminal Investigations, of an ongoing investigation on the subject of suspected falsified testamentary documents relating to the Estate of James Boro Karugu (deceased). For purpose of the said investigation, I here record my statement as follows;

Mathara Holdings Limited, my employer, is a holding company of several subsidiaries; all forming part of the estate of the late James Boro Karugu. I joined the company in the year 2005, then, as a Clerk. During that time, James Boro Karugu (deceased), was Chairman of the company. The late passed on in November 2022 and was laid to rest shortly after his death. Presently, some of the children to the deceased, have acceded to the Directorship of the Company.

I state, in the course of time and service to the company, I have risen through ranks to the office of Operations Manager, which I hold to date, from year 2019. My duty as Operations Manager, include overseeing operations in all the subsidiary companies and the holding company, Mathara.

ROU  


SIG  
  
04/08/2025

D2  
(11)

I remember, the late Company Chairman, James Boro Karugu was relieved of management duties in the year 2015, following his deteriorated health condition. Before then however, the late Chairman actively oversaw the management of Mathara Holdings Limited and all his properties. I therefore, had the privilege of interacting with him and documents and processes, authorised or approved by him by appending his signature or initials.

14/8/2025  
1130 HR  
ZIAMARA  
ESTATE

I very well remember, in his life, the late Chairman used pen and paper to do his paper work, and only signed or initialised typed or computer generated documents put before him, and upon his satisfaction with accuracy of information. For having worked with him and interacted with documents he signed or initialised, I confidently submit, that I am acquainted to his way of initialising his name on documents. At all times, the late James Boro Karugu, would initialise his name on documents, as "JK".

I further state, the investigators on 04<sup>th</sup> August 2025, showed me documents presented as the Last Will and Testament of James Boro Karugu and a Trust Deed connected to the subject Estate, both initialised with "JBK" on all pages, to create the impression that the same were done by the late James Boro Karugu, in 2014. I am categorical, that up and until that year 2014, I did interact with documents which are available to date, initialised by James Boro Karugu, with the letters "JK" and not "JBK". It is with no doubt to me, that the late James Bor Karugu's favourite way of initialising his name, has been "JK". I therefore, highly doubt the truthfulness of the documents presented as Will and Trust Deed, and shown to me by the investigators on 04<sup>th</sup> August 2025, purportedly executed by James Boro Karugu, in 2014, on the basis of their strange initialisation.

That's all I state for now.

SIGN  
  
04/08/2025

ROC  


E6  
(1)

STATEMENT OF INQUIRY OF ERIC CHARLES MWAURA KARUGU, OF  
KENYA NATIONAL IDENTITY CARD NO. 11391190

I MOHAMED BASHORA, a Detective Constable, attached to the Economic and Commercial Crimes Unit, Investigations Burea, of the Directorate of Criminal Investigations, am investigating a case of;

- 1. Forgery of a Will contrary to Section 350(1) of the Penal Code, among other offences

have reasons to believe that you ERIC CHARLES MWAURA KARUGU are connected to this offence(s) or you have information that may assist me in my investigations.

Do you wish to say anything in answer to the allegations?

I caution you, that you are not obliged to say anything, unless you wish to do so, and if you so wish, whatever you say shall be recorded down and may be used as evidence.

*Mohamed Bashora*  
.....

ROC

*Eric Charles Mwaura Karugu*  
.....

ERIC CHARLES MWAURA KARUGU

Having understood the nature of the allegations and the caution administered, the suspect elects to state as follows;

*Mohamed Bashora*  
.....

ROC

*Eric Charles Mwaura Karugu*  
.....

ERIC CHARLES MWAURA KARUGU

This is Exhibit marked DM-13  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9th  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

EG  
(11)

5/7/2023  
620 HRU  
K. H. H.

The execution of the Will according to how it appears, was witnessed by Jane Kabiu Gitau and William Richu. And the Settlement Trust Deed establishing the JBK Foundation, names the executors of the Will, as Trustees, and attested to by Jane Kabiu. The named executors are Peter Gachuhi, Reverend Joshua Mwaura and Eliud Gatambia Karugu.

I knew Jane Kabiu, long before this matter, because she served as Company Secretary to our family companies. I had an opportunity to interact with her, in handling my late father when he suffered dementia from 2015. I had earlier met her in my father's office prior to his got sick. I state, in the course of my interactions with her long before my father's demise, I had the opportunity to get prior information, that Jane had custody of his Will.

I also knew Peter Gachuhi during the illness of my late father. Eliud Gatambia Karugu is my cousin. William Richu handled some conveyancing for my late father, thus I also had an opportunity of knowing him prior to my father's demise. I met and knew Reverend Joshua Mwaura for the first time, during the Will handover ceremony. On this basis, I state with all confidence, that Jane Kabiu, Peter Gachuhi, William Richu and Eliud Gatambia are persons who had the privilege of interacting and having special relations with my late father.

I know a lawyer named Manubhai Patel, and the fact that he was also a good friend to my late father. I state however, I am not aware, as it never came to my knowledge at any given time, that the said Manubhai Patel prepared a Will for my late father. I admit, that during my father's illness, I had access and control of his safes where his critical documents and other items were kept. I remember, in accessing my father's documents during his illness, I came across several documents and papers, among them one that looked like a draft Will; not signed though. I admit to have seen a document that looks like a draft unexecuted Will similar to one shown to me by the investigating officer, Detective Mohamed Bashora, based on how it looks.

Regarding the Will and Trust Deed shared to the beneficiaries and executors of the estate of James Boro Karugu, it is my position that the documents are well executed. I do not doubt the signatures and initials appearing therein belong to James Boro Karugu. I therefore have no reason to raise any allegation of falsification of the documents.

I am aware, that in efforts to give effect to the Will, the executors have petitioned the court for Grant of Probate, vide Succession Cause No. E916 of 2023, in the High Court of Kenya at Nairobi. As I do not doubt the validity of the Will and Last Testament of James Boro Karugu, I do not have any objection to the Petition.

That's all I have to state for now.

SIG  
C. H. H.

REC  
[Signature]

Statement form



E1  
(1)  
B2

**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**  
Police case .....2020

**STATEMENT UNDER INQUIRY OF JANE WANGECHE KABIU OF IDENTITY CARD  
NUMBER 9949675.**

DATE: 10<sup>th</sup> July, 2025  
TIME: 1500HRS  
PLACE: ECCU, IB, DCI HEADQUARTERS.

I, INSPECTOR DUNCAN MAINA, a Police Officer attached to the Economic and Commercial Crimes Unit, Investigation Bureau of the Directorate of Criminal Investigations (DCI Headquarters), I am investigating cases which involves:-

**1. Forgery of a will contrary to Section 350(1) of the Penal Code.**

I have reasons to believe that you JANE WANGECI KABIU alias JANE KABIU GITAU is connected with this offence(s) or if not, then you have useful information which can assist me in my investigations.

Do you wish to say anything in answer to the allegations? I caution you that you are not obliged to say anything unless you wish to do so but whatever you will say will be taken down in writing and may be used as evidence.

.....  
**R.O.C**

.....  
**JANE WANGECI KABIU**

Having understood the nature of the allegations and the caution administered, the suspects elects to state as follows:-

.....  
**R.O.C**

.....  
**JANE WANGECHE KABIU**

This is Exhibit marked DM-14  
referred to in the Annexed Affidavit/Declaration of  
DUNCAN MAINA  
Sworn/Declared before me this 9<sup>th</sup>  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
Police case .....2020

ID NO:9949675  
JANE WANGECHI KABIU  
P.O.BOX 70289-00400  
NAIROBI.  
TEL. 0722821707  
Email:optimumregistrars@gmail.com

**STATES AS FOLLOWS:**

I am a Kenyan female adult, a businesswoman within the Republic of Kenya. I am a Certified Public Secretary and currently, a partner of Optimum Registrars from the year 2008 to date. As a Certified Public Secretary my job includes but not limited to the following:-

- a. Attending to the Board of Directors meeting when required.
- b. Convening and attending clients' Annual General Meetings.
- c. Dealing with business registration services.

I also hold an LLB, from the London University, a qualification I only pursued for the purpose of securing an added advantage for Secretarial practice.

I do recall that in the year 2006 I was an employee of Savannah Associates and that time the late James Boro Karugu was the Chairman at Maramba Tea Factory, Limuru, where Savannah Associates were the company secretaries. I thus got to know the named James Boro Karugu and had several interactions with him in the course of my work.

A handwritten signature in black ink, appearing to be "Jane Wangechi Kabi".

A handwritten signature in black ink, appearing to be "James Boro Karugu", with the date "10/7/2015" written next to it.



**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**

*Police case* .....2020

I left Savannah Associates in 2007, and started my own business, Optimum Registrars. With his personal knowledge about my services, the late requested me in 2008 to offer services to his companies namely Mathara Holdings Limited, Kariama Enterprise Limited, Shatana Investments Limited, Nasico Limited, Avenue House Limited, Empire Consolidated Limited, Prime Plantations Limited, Malewa Streams And Services Limited And Centurion Holdings Limited whereby I accepted the offer.

In many of my visits to his office as his company secretary the late informed me that he wanted to restructure his companies and thus he wanted Centurion Holdings Limited to be the Holding company of all his assets and this was to make it easier since he wanted to prepare his Will.

In the years 2012 to 2013, the late James Boro Karugu informed me that an Advocate namely Manubhai Patel was preparing his Will. I cannot confirm though, that indeed, Manubhai completed the drafting of the Will. Because the late would from time to time, keep on consulting, presenting the draft Will for discussion before completion. Once the Will was finalized, the late James Boro Karugu came with the final document in my office where I read and re-read the Will to confirm everything was right. After that before he left he informed me that he will come back with witnesses and requested me to be a witness as well, for the execution.

On 2<sup>nd</sup> April 2014, the late came in my office which is situated in Nairobi, Westlands, Mpaka House, while holding a folder. We waited for William

*Recd*  
*[Signature]*

*[Signature]* 10/7/25  
↑

E1  
(1v)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**

*Police case* .....2020

Kimani Richu who arrived shortly. The late removed the Will and another document, a Trust Deed which was to establish JBK Foundation, from the folder. The late signed the execution page and initialized other pages J.B.K at the bottom. Thereafter he handed over the Will to me and William Kimani Richu to sign as witnesses. After that he placed the Will and the Trust Deed, inside the envelope and sealed it, and handed over the envelope to me for safe custody, with instructions that I avail it to the beneficiaries and executors upon his demise.

James Boro Karugu, died on 10<sup>th</sup> November 2022, and was buried on 19<sup>th</sup> November 2022.

Since I had interacted with the Will several times before execution and I knew the beneficiaries and executors, I wrote an email to the beneficiaries and executors through my email [optimumregistrars@gmail.com](mailto:optimumregistrars@gmail.com) and informed them on 22<sup>nd</sup> November 2022 that I had the possession of the late James Boro Karugu's Will and thus invited them to come over to Elysian Resort, Kiambu Road for the handover of the Will. The executors were Peter Mbutia Gachuhi, Rev. Joshua Kimani Mwaura and Eliud Karugu Gatambia.

On 29<sup>th</sup> November 2022, we had a meeting at the aforementioned Resort, and after prayers all in attendance introduced ourselves and thereafter, I informed them that I had the Will of the late James Boro Kaguru, and the Trust Deed, which both were still in a sealed envelope. I handed the

sent to  
11/11/22

*Rec*  
*[Signature]*

*[Signature]*  
16/7/25  
↑

E1  
(v)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**


*Police case* .....2020  
envelope to Peter Mbutia Gachuhi. Peter opened the envelope and requested whether he can read word by word or he can make copies for each of us and we all agreed that he make copies. I proceeded downstairs accompanied by Eric Mwaura, one of the sons to the late and made copies which we shared to everyone. During the handing over all of us signed the attendance sheet. As custodian of the original Will my role ended when I handed over the Will to the executors and beneficiaries and thus I gave the original documents to Peter Mbutia Gachuhi.

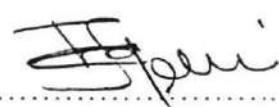
I wish to state that, the investigators shown me both the Will and Trust Deed and I confirmed that the signature in the Will was mine in the execution page.

That all i wish to state for now.

**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

  
.....  
R.O.C

  
.....  
JANE WANGECHI KABIU  
↑  
10/7/2025

E2  
(1)

STATEMENT OF INQUIRY OF WILLIAM KIMANI RICHU, OF KENYA  
NATIONAL IDENTITY CARD NO. 4826733


I **MOHAMED BASHORA**, a Detective Constable, attached to the Economic and Commercial Crimes Unit, Investigations Bureau, of the Directorate of Criminal Investigations, am investigating a case of;

- 1. **Forgery of a Will contrary to Section 350(1) of the Penal Code**, among other offences

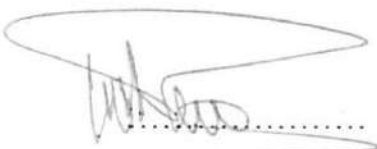
have reasons to believe that you **WILLIAM KIMANI RICHU** are connected to this offence(s) or you have information that may assist me in my investigations.

Do you wish to say anything in answer to the allegations?

I caution you, that you are not obliged to say anything, unless you wish to do so, and if you so wish, whatever you say shall be recorded down and may be used as evidence.


  
.....

ROC

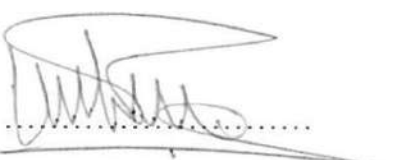
  
.....

WILLIAM KIMANI RICHU


Having understood the nature of the allegations and the caution administered, the suspect elects to state as follows;

  
.....

ROC

  
.....

WILLIAM KIMANI RICHU

This is Exhibit marked "..... **DM-15** .....  
referred to in the Annexed Affidavit / Declaration of  
..... **Duncan MAINA** .....  
Sworn / Declared before me this **9th** .....  
day of **Feb** 20 **26** .....  
at **NAIROBI** in the Republic of Kenya  
.....  
Commissioner for Oaths 

E2  
(11)

ID NO. 4826733

WILLIAM KIMANI RICHU

P.O BOX 350 – 00100

NAIROBI.

M/NO. 0791484823

21/7/2025  
1200HR  
MIRANDA SQUARE

OTHER PARTICULARS

HOME COUNTY – KIAMBU

S/COUNTY – GITHUNGURI

CURRENT RESIDENCE – RUNDA, NAIROBI

STATES AS FOLLOWS

I am a male adult of the particulars above, and an Advocate of the High Court of Kenya trading in the name and style of Kimani Richu and Associates; I am the senior partner at this firm. I also do farming in Githunguri, doing Coffee, Macadamia and Avocado. It has well been explained to me by investigators from the DCI Headquarters, Economic and Commercial Crimes Unit, of an ongoing investigation into allegations of falsification of the Last Will and Testament of James Boro Karugu, in which matter, I do feature as a Witness to its execution. Being required to respond to the allegations thus, I wish to record my statement as follows;

I joined the State Law Office in July 1980; then I was fresh from the Kenya School of Law. I remember, Charles Njonjo was the Attorney General at the time, and James Boro Karugu was Deputy Public Prosecutor. I was directly reporting to David John Coward, who was the Registrar General and the Accounting Officer for the State Law Office. Towards the end of the same 1980, Njonjo left to join politics, where he was then appointed Minister for Constitutional Affairs. It was then, that James Boro Karugu was appointed as Attorney General.

Shortly thereafter, I was transferred out of Nairobi, and served in various stations for about ten years before coming back to Nairobi in August 1991. By this time, I remember, I found James Boro Karugu had long resigned and left the AG's Chambers.

ROC  
*[Signature]*

*[Signature]*  
SIGN

31.7.2025

E2  
(11)

1/7/2025  
1200 HRS

NAIVASHA  
SQUARE

In 2004, I also left service on my early retirement. I therefore, started private practice in 2005. Among first clients in my private practice, was one James Samuel Mburu, who just like myself, hails from Githunguri. I state, the named Samuel Mburu was close to James Boro Karugu, on reason that both were in the Tea farming and processing business, they were together at Maramba Tea factory. I did various assignments for Samuel Mburu.

Around 2008, Samuel Mburu introduced me to James Boro Karugu. It was easy for me to relate with him because of our common employment background at the Attorney General's Chambers. Equally, James Karugu was endeared by the same fact.


● Soon thereafter, I started acting for James Boro Karugu; he retained my services for conveyance of his property, he was selling in Naivasha, through his Malewa Bay Limited. In this business, James Karugu was creating a gated community estate. From this first assignment, I ended up doing several other assignments for him, and even held his money in a current account at Chase bank. Whenever he needed my services, James Karugu would call me for the work through his Secretary, Janet.

Around 2012, I had no much of service to James Boro Karugu, thus a gap in my interactions with hime was created. This went on for almost two years. And in 2014, through his other secretary called Brenda, James Boro Karugu called me for a meeting. I do very well remember, when I met him, James Boro Karugu asked me whether I could undertake a special assignment for him; he however did not disclose the assignment at that time. Nonetheless, considering our relationship, and the respects I had for him, I agreed to his request.

We developed a close relationship from this time, seeing him more often. Of course, he would call every time he wanted to see me. We would drive in my vehicle, drive around his farms, admire the scenery and talk at length. In one of these meetings, he asked me to be one of his witnesses to the execution of his Will. That's when I gathered, that this is the special assignment he had earlier hinted on.

On a later date in the same year 2014, he asked me to meet him in Westlands, and directed me to the office of one Jane Kabiui; he gave me the specific date and time – at 1000hrs.

roc  
James

SIGN  
  
Page 3 of 5  
31-7-2025

E2  
(iv)

1/7/2025  
1200 hrs

WITNESS  
STATE

Now understanding the assignment and its weight, I bought a special pen for the purpose. I went to Jane's office as directed, where I was welcomed by Jane. James Boro Karugu joined us later; he was alone. He had a leather bag with him. He informed us of his driver, who he instructed to remain away from the venue.

I clearly remember, I saw James Boro Karugu produce documents from the leather bag he came in with. I identified the documents as his Will, and a Trust Deed. My business at this occasion, was to do with the Will, which I had the honour of being asked to witness to its execution. James Boro Karugu thus, put the Will on the table where the three of us; James Boro Karugu, Jane Kabiu and myself, sat. I did not read the contents of the Will, as the same is not a formal requirement for the validity of a Will. And relying on James Boro Karugu's words, directions and what appeared on the execution page, I appended my signature. Each of the three of us, signed in the same sitting.

From the document shown to me the investigators, I acknowledge the handwriting and signature appearing against my name, and do attest that the signatures appearing against the testator and Jane Kabiu, are made by them.

I saw James Karugu put the documents back into the bag, but not in an envelope. We then left for lunch outside, with the bag left behind. James Karugu and Jane went back to the office, while I left for my other businesses.

I state, I had no prior knowledge of Jane Kabiu before this particular meeting. I however had general knowledge that as at the time, Jane acted for James Boro Karugu as company Secretary.

I remember however, I had another opportunity to interact with Jane Kabiu in another business I was hired to do for James Karugu. This business involved acquisition of a company by one of James Karugu's companies named Centurion Holdings Limited. This company being acquired owned some apartments; buying the company thus, offered ownership of the involved apartments. James Karugu informed me that he wanted to consolidate all his properties to be under Centurion. While I worked on the necessary documentation for the purchase, Jane worked on the transfer of

ROC  
[Signature]

SIGN  
[Signature]  
31.7.2025

E2  
(v)

Shares to the new owners, James Boro Karugu; this was around November 2014.

I further state, James Karugu went ill thereafter and led a very secretive life, until his death in November 2022. I learnt of his death far much later. I was later, invited by Jane Kabiw for the opening and handover of the Will and Trust Deed, to the beneficiaries and executors, at Elysian hotel, along Kiambu road. I attended the meeting as invited and confirmed the validity of execution of the Will, as it appeared on the execution page.

I am therefore, firmly of the position that the signatures and handwriting appearing on the execution page of the Last Will and Testament of James Boro Karugu, are genuine.

That's all I state for now.

ROC  


SIG 2  
  
31.7.2025

E3  
(1)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
Police case .....2020

**STATEMENT UNDER INQUIRY OF PETER MBUTHIA GACHUHI OF IDENTITY**  
**CARD NUMBER 3349661.**

DATE: 15<sup>th</sup> July, 2025  
TIME: 1400HRS  
PLACE: ECCU, IB, DCI HEADQUARTERS.

I, INSPECTOR DUNCAN MAINA, a Police Officer attached to the Economic and Commercial Crimes Unit, Investigation Bureau of the Directorate of Criminal Investigations (DCI Headquarters), I am investigating cases which involves:-

**1. Forgery of a will contrary to Section 350(1) of the Penal Code.**

I have reasons to believe that you Peter Mbuthia Gachuhi is connected with this offence(s) or if not, then you have useful information which can assist me in my investigations.

Do you wish to say anything in answer to the allegations? I caution you that you are not obliged to say anything unless you wish to do so but whatever you will say will be taken down in writing and may be used as evidence.

*[Signature]* 15/7/25

R.O.C

*[Signature]*

PETER MBUTHIA GACHUHI

Having understood the nature of the allegations and the caution administered, the suspects elects to state as follows:-

*[Signature]* 15/7/25

R.O.C

*[Signature]*

PETER MBUTHIA GACHUHI

15-7-25

This is Exhibit marked DM-16  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
*Police case .....*2020

ID NO: 3349661  
PETER MBUTHIA GACHUHI  
P.O.BOX 40111-00100  
NAIROBI.  
TEL. 0722711568  
Email:PGachuhi@kapstrat.com

**STATES AS FOLLOWS:**

I am an advocate of the High Court of Kenya practicing with the firm of Kaplan & Stratton Advocates. I am one of the Executors appointed in the Will of the late James Boro Karugu. I first met the deceased while I was serving as a Director at Ngorongo Tea Factory in the year 2011. The deceased was a Director of Maramba Tea Factory. The two factories are situated within Limuru Sub-County. I was introduced to the deceased by a mutual friend who was also a Director at Ngorongo Tea Factory. The deceased was pleased to meet me since he had worked with my father in the legal profession in the late sixties. Later we had several engagements as I assisted him severally on his day to day work.

I do recall well that in the year 2013 or there about the deceased requested me to be an executor of his Will and Trustee the JBK Foundation. I agreed and thereafter he arranged for me to meet two other gentlemen namely Revered Joshua Mwaura Kimani and Mr. Eliud Karugu Gatambia who was his nephew. During that meeting he informed us he would like us to be executors of his will to which we all agreed.

A handwritten signature in black ink, appearing to be "P. Gachuhi".  
15/7/25

E 3  
(iii)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020

He also informed me that he is forming the Foundation and he would like us all to be trustees of that foundation and again I agreed to be a trustee. Sometimes in the second week of April 2014 we all signed the Trust Deed which was dated 2<sup>nd</sup> April 2014 at Jane Wangechi Kabiu’s office since it was in her possession.

I severally visited the deceased at his office which was located at his home in Kiamara Estate within Kiambaa Sub-County where he was also laid to rest upon his death on 10<sup>th</sup> November 2022.

On 22<sup>nd</sup> day of November 2022 i was contacted by Jane Wangechi Kabiu who is well known to me professionally. She disclosed to me that she was the custodian of the Will of the Late James Boro Karugu. She further invited me for a meeting for the handing over of the Will at Elysian Resort along Kiambu Road. As the time of receiving the call from Jane Wangechi I knew I was among the executors of the Will since the deceased had earlier requested me to be, of which I consented.

On the 29<sup>th</sup> November 2022, I together with the other executors attended the meeting at Elysian Resort. The other attendants of the meeting were beneficiaries named in the Will and a witness namely William Kimani Richu who was also present during the execution of the Will. As far as I could see the Will and the Trust Deed was in a sealed envelope. The executors together with other attendants agreed that there is no need of reading the entire Will word for word instead Jane Wangechi Kabiu in company of the

*[Handwritten signature]*  
15/7/25

*[Handwritten signature]*  
15-7-25

DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI

Police case .....2020

E3  
(IV)


deceased son Eric Mwaura Karugu made several copies which were issued to the executors and beneficiaries, she handed over the original copy of the Will to me since I was the only advocate among them and also I was an executor.

Later on, we the executors found it important to contact the beneficiaries individually for the purposes of getting to know them personally and to begin the process of developing a cordial relationship with all of them.

The firm of Kaplan & Stratton prepared the Petition for the grant of probate in accordance with the Law of Succession. On the 19<sup>th</sup> June 2023 I received a death certificate of James Boro Karugu from Victoria Nyambura Karugu which was not certified although it was sufficient for the purpose of Petition for grant of probate. The firm also made an Application to the court to dispense with the listings of the estate assets and liabilities and the certified copy of the Will be held by the Succession Court-Family Division in a sealed envelope. The Petition and Application are pending in High Court of Kenya Family Division Succession Cause No. E916 of 2023. Up to date the firm of Kaplan & Stratton is still holding the Original Will pending the directions of the court.

There are two affidavits signed by Jane Wangechi Kabui and William Kimani Richu who confirmed that they witnessed the deceased signing the Will. I have no reason to doubt what the two witness informed the court.

  
15/7/25

  
15-7-25

E3  
(v)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**

*Police case* .....2020

According to me I wish to state that the original Will which was handed over to me was not forged as it is being alleged.

That all i wish to state for now.

**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

*[Signature]*  
15/7/25

R.O.C

*[Signature]*

PETER MBUTHIA GACHUHI.  
15-7-25

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
**Police case .....2020**  
**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

R.O.C

PETER MBUTHIA GACHUHI.

**FURTHER STATEMENT OF PETER MBUTHIA GACHUHI DATED 28<sup>TH</sup> JULY 2025 AT DCI HEADQUARTERS AT 1240HRS.**

Further to my statement which I recorded on 15<sup>th</sup> July 2025 and thereafter handed over a certified copies of the Will and Settlement Trust Deed establishing the JBK Foundation, I wish to state that in order to provide a colour copy of the stamp duty at page two of the Trust Deed I used a separate colour printer for that purpose. The rest of the pages were photocopied from another printer except page ten which I used a colour printer.

I have provided the original Trust Deed for comparison purposes.

That's all to state.

28<sup>th</sup> July 2025.

ES  
(1)

**STATEMENT OF INQUIRY OF ELIUD KARUGU GATAMBIA, OF KENYA  
NATIONAL IDENTITY CARD NO. 2307578**

I **MOHAMED BASHORA**, a Detective Constable, attached to the Economic and Commercial Crimes Unit, Investigations Bureau, of the Directorate of Criminal Investigations, am investigating a case of;

- 1. **Forgery of a Will contrary to Section 350(1) of the Penal Code**, among other offences

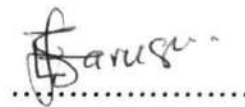
have reasons to believe that you **ELIUD KARUGU GATAMBIA** are connected to this offence(s) or you have information that may assist me in my investigations.

Do you wish to say anything in answer to the allegations?

I caution you, that you are not obliged to say anything, unless you wish to do so, and if you so wish, whatever you say shall be recorded down and may be used as evidence.



ROC

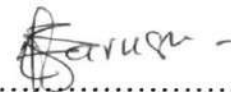


ELIUD KARUGU GATAMBIA

Having understood the nature of the allegations and the caution administered, the suspect elects to state as follows;



ROC



ELIUD KARUGU GATAMBIA

This is Exhibit marked "DM-17" referred to in the Annexed Affidavit / Declaration of **Duncan MAINA** Sworn / Declared before me this **9th** day of **Feb** 20 **26** at **NAIROBI** in the Republic of Kenya  
Commissioner for Oaths

ES  
(11)

ID NO. 2307578

ELIUD KARUGU GATAMBIA

P.O BOX 2457 – 0100

THIKA.

M/NO. 0722621305

28/7/2025  
1300 HR  
DCI HQ

**OTHER PARTICULARS**

HOME COUNTY – KIAMBU

S/COUNTY – KABETE

CURRENT RESIDENCE – THIKA – NGOINGWA ESTATE

**STATES AS FOLLOWS**

I am a male adult of the particulars above, and a Research Scientist, specializing in the area of horticultural agronomy and breeding. I work with Kenya Agriculture and Livestock Research Organization (KALRO), at the National Sericulture Research Centre, in Thika. It has been well explained to me, of an ongoing investigation into allegations of falsification of testamentary documents relating to the estate of James Boro Karugu, where I feature as a person of interest, having been named therein, as a Witness and a Trustee. In regard to this matter, I wish to record my statement as follows;

I am son to Paul Gatambia Makumi and Alice Nyakiyo Karugu Gatambia. My mother is sister to the late James Boro Karugu. I am thus nephew to the named James Boro Karugu.

I state, I first started interacting with my uncle, the late James Boro Karugu, in about 1967 when he came back from America from his studies; I was a young boy then. As a lawyer, my uncle secured public employment in the department of Public Prosecutions. I however, became friend to my uncle, around 1985 when I finished University, with my Diploma in Horticulture, from Egerton. I pursued further education thereafter, and uncle also left Public Service in about 1981, after briefly holding the office of Attorney General. He then retreated to full time farming and doing private businesses.

In the course of my relationship, uncle would from time to time, ask me for advise on his farming activities; he had horticulture farm in Naivasha and Kiamara . I remember, in 2013, my uncle called me to his Kiamara Office, and invited me for lunch at Kentmere hotel, where he confided and requested me to be executor of his Will and a Trustee of his estate. I accepted the request. Uncle also informed me of two others he had chosen for the same role; I did not know those others at the time.

RDC  
Handwritten signature

SIGN  
Handwritten signature  
28/07/2025

ES  
(11)

28/7/2025  
1300 HR  
PLI HQW

I remember, in the same year 2013, he called me to his Kiamara Office again, and from there, he took me to Muthaiga Golf Club, where I first met Peter Gachuhi and Reverend Joshua Mwaura. He explained his special relationship to these two. It is during this meeting that uncle disclosed to us all, that we had individually and collectively accepted to be Executors of his Will and Trustees of his estate, He thus urged us to know each other and start to build a cordial relationship with each other.

I state, I continued meeting and engaging with uncle, until sometime in 2014 when he gave me a mobile phone number of a lady, he told me her name is Jane. Uncle instructed me to wait for a call from the lady. And in April 2014, I indeed received a call from the named Jane, who called me to an office space in Westlands, where I met her. I clearly remember, Jane put before me, a document which I identified as the Trust Deed establishing the JBK Foundation, and connected to the estate of James Boro Karugu, for my signature. I signed the document in the presence of Jane. I did not read the entirety of the contents of the document though, and beside Jane and myself, there was no one else in the office. The document had other signatures, appended before mine.

Thereafter, my uncle's health deteriorated, worsening as from 2015, leading to his demise in November 2022. He was laid to rest on 22<sup>nd</sup> November 2022.

Days after the burial, Jane called me and informed that she is the custodian of the Will and Last Testament of James Boro Karugu, and the Trust Deed establishing a Trust to take care of the deceased's estate. Jane therefore, invited me to a meeting for the opening and hand over of the documents to the beneficiaries and executors. On the 29<sup>th</sup> of November 2022, I attended the meeting as invited, and there, were other named executors, beneficiaries, and William Kimani Richu. The Will and Trust Deed, were opened in the presence of all those present, from a sealed envelope.

I remember, following an agreement that there was no need of reading out the Will in that particular meeting, copies were made and distributed to all those present. I also received my copies, and confirmed that, I am named one of the Executors of my uncle's Will and a Trustee of his estate. I also confirmed, that the signature appearing in the Trust Deed against my name, is indeed mine, as appended in April 2014, at Jane's office in Westlands.

Thereafter, I worked with other Executors to give effect to the wishes of the deceased, made through his testamentary instruments. To this far, there exist Succession Cause No. E916 of 2023, in the High Court at Nairobi, being the matter of the estate of James Boro Karugu. With other Trustees, we also commenced the process of registering the JBK Foundation, as established by the Trust Deed I signed, and connected to the estate of my late uncle, James Boro Karugu.

I am aware however, these processes have been frustrated by the objection from Victoria Karugu, my beneficiary cousin, and daughter to uncle James Boro Karugu. I do very well understand, that it is Victoria's contest, that the Will and Trust Deed were not executed by

RO  
*[Signature]*

SIGN  
*[Signature]*  
28/07/2025.

her father, the late James Boro Karugu. I state with confidence, that from the series of events known to me from my engagement with the late James Boro Karugu, I believe, the dispositions and executions thereof, are true representations of the wishes and actions of the deceased.

I do not doubt the signatures and initials appearing in the set of documents, in the name of and as being for James Boro Karugu.

That's all I state for now.

28/9/2025  
 1306 HRS  
 DCI #181

  
 BSC

  
 sig



Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**  
Police case .....2020

STATEMENT UNDER INQUIRY OF JOSHUA MWAURA KIMANI OF IDENTITY CARD NUMBER 11114275

DATE: 28<sup>th</sup> July, 2025  
TIME: 1200HRS  
PLACE: ECCU, IB, DCI HEADQUARTERS.

I, CHIEF INSPECTOR DUNCAN MAINA, a Police Officer attached to the Economic and Commercial Crimes Unit, Investigation Bureau of the Directorate of Criminal Investigations (DCI Headquarters), I am investigating cases which involves:-

- 1. Forgery of a will contrary to Section 350(1) of the Penal Code.

I have reasons to believe that you Joshua Mwaura Kimani is connected with this offence(s) or if not, then you have useful information which can assist me in my investigations.

Do you wish to say anything in answer to the allegations? I caution you that you are not obliged to say anything unless you wish to do so but whatever you will say will be taken down in writing and may be used as evidence.

.....

R.O.C

.....

JOSHUA MWAURA KIMANI

Having understood the nature of the allegations and the caution administered, the suspects elects to state as follows:-

.....

R.O.C

..... 28/7/2025

JOSHUA MWAURA KIMANI

This is Exhibit marked "DM-18" referred to in the Annexed Affidavit / Declaration of Duncan Maina Sworn / Declared before me this 9<sup>th</sup> day of Feb 2026 at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

Statement form




**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
*Police case* .....2020

ID NO: 11114275  
JOSHUA MWAURA KIMANI  
P.O.BOX 113  
NORTH-KINANGOP.  
TEL. 0723817236  
Email:

**STATES AS FOLLOWS:**

That I am the above mentioned male adult Kenyan and currently I am a Reverend of Full Gospel Churches of Kenya in place called Mukeu in Kinangop within Nyandarua County and I now wish to state that I was called by an officer from the Directorate of Criminal Headquarters who summoned me to record statement since there was an allegation of forgery of Will of the late James Boro Karugu and thus I was to shed light since I signed the Trust Deed as one of the Executor.

I do recall well that in the year 2008 while at Nairobi Hospital where I had gone to visit my cousin namely Hellen Wambui Mwaura who was admitted there. While there she introduced me to the late James Boro Karugu who had also come to visit her. Further to that she informed me that the late is the father to her children Allan Mwaura and Adam Mwaura. In addition, the late requested Hellen Wambui Mwaura to take me to his office at Kiamara within Kiambu once she is discharged.

 28/7/2025



E4  
(14)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020

After about three months or thereabout I received a call from my cousin (Hellen Wambui Mwaura) and she informed me that the late is requested me to visit him. I travelled from kinangop and upon arrival at Nairobi, I met my cousin and we proceeded to the late office at Kiamara. We had a good discussion in the office and thereafter we walked around his coffee farm. During lunch time, he told us to accompany him Muthaiga Golf Club since he wanted to buy us lunch.

After that we become good friends as he would invite me to his office where we would have a lengthy discussion. In of our engagements with mobile phone he requested me to visit him in the office since there was something he wanted us to discuss. During that time I was very engaged but he insisted that I find time. I proceeded to his office and upon arrival he requested me to be one of the trustee of his properties. Honestly I have never heard something like that before and at first I refused his request since I was not his son and again we were not related.

I requested for more time to make up my mind. After a short period, he called me and invited me to his office whereby he convinced me and this time I accepted to be Trustee. Inmid2013 the late invited me to lunch as he wanted to introduce me to two other gentlemen. We met at Muthaiga club. The late introduced me to his nephew Mr. Eliud Karugu Gatambia and Mr Peter Mbuthia Gachuhi. The late informed the three of us that we had agreed to be the executors of his will and trustees to the foundation he was forming. The late asked to get to know each other. We had subsequent lunches at the same place.

In April 2014 the late told me that there is a lady called Jane whom she had given my mobile phone number, she was to direct me to her office so that I can append my signature to a certain document.

Later Jane called me and informed me that she was given my mobile phone number by James Boro Karugu and thus she wanted me to proceed to her

28/7/2025

E4  
(W)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020


office which was situated in Westlands in Nairobi County so that I can sign a certain document as we had agreed with him earlier on. She gave me an appointment and on the said day she directed me to her office. On arrival, she informed me of the document which I understood concerned the late's properties since the late James Boro Karugu had called and assured me that it is the document he informed me about, and thus I appended my signature against my name.

Later the James Boro Karugu become sick but I was informed that people are not allowed to visit him by some of his family members and thus I did not travel to visit him and he passed away in the month of November 2022.

Two weeks after his death, I received a call from Jane Kabiu and she informed me that we are to meet on 29<sup>th</sup> November 2022 at a Elysia Hotel along Kiambu Road together with the other trustees since she will be handing over the Late's Will to his family members and other Executors. On the said I proceeded there and upon arrival I met Jane, the late family members and the other Executors. After prayers Jane informed us that she had convened the meeting since wanted to handover the Will. Jane made several copies and her attempt to read word to word, family members requested that each to read for his/her own.

In the month of July, 2025 I was summoned at DCI Headquarters to record my statement since there was an allegation that the late James Boro Karugu Will was forged before being handed over. I went there, interviewed and my statement was recorded.

That all I wish to state for now.

 28/7/2025

E4  
(v)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**


Police case .....2020

**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

  
.....

R.O.C

 28/7/2020  
.....

JOSHUA MWAURA KIMANI .

D3  
(1)

STATEMENT OF INQUIRY OF BRENDA WANJIRU IRUNGU, OF KENYA  
NATIONAL IDENTITY CARD NO. 23995446

I **MOHAMED BASHORA**, a Detective Constable, attached to the Economic and Commercial Crimes Unit, Investigations Bureau, of the Directorate of Criminal Investigations, am investigating a case of;

- 1. **Forgery of a Will contrary to Section 350(1) of the Penal Code**, among other offences

have reasons to believe that you **BRENDA WANJIRU IRUNGU** are connected to this offence(s) or you have information that may assist me in my investigations.

Do you wish to say anything in answer to the allegations?

I caution you, that you are not obliged to say anything, unless you wish to do so, and if you so wish, whatever you say shall be recorded down and may be used as evidence.

*Mohamed Bashora*  
.....

ROC

*WB Irungu*  
.....

BRENDA WANJIRU IRUNGU

Having understood the nature of the allegations and the caution administered, the suspect elects to state as follows;

*Mohamed Bashora*  
.....

ROC

*WB Irungu*  
.....

BRENDA WANJIRU IRUNGU

This is Exhibit marked "DM-19"  
referred to in the Annexed Affidavit/Declaration of  
DUNCAN MAINA  
Sworn/Declared before me this 9th  
day of Feb 2020  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

D3  
(11)

ID NO. 23995446

BRENDA WANJIRU IRUNGU

P.O BOX 6 - 00900

NAIROBI.

M/NO. 0724609914

5/8/2025  
1430 HR  
120 HQS

**OTHER PARTICULARS**

HOME COUNTY – MURANG'A

S/COUNTY – KANGEMA

CURRENT RESIDENCE – KIAMARA ESTATE - KIAMBU

**STATES AS FOLLOWS**

I am a female adult of the particulars above and an employee of Mathara Holdings Limited. It has been explained to me by investigators from the Directorate of Criminal Investigations, of an ongoing investigation into allegations of falsification of the Last Will of James Boro Karugu and a Trust Deed establishing the JBK Foundation, which is connected to the Estate of James Boro Karugu. And that in that matter under investigation, I feature as a person of interest owing to an email communication touching on the subject Estate, I once sent to one Jane Kabiu. For purpose of the said investigation, and having been interrogated, I wish to record my statement as follows;

I hold a Bachelor of Arts degree from the University of Nairobi, having graduated in 2009. It is on merit of this qualification that in 2012, I was employed by Mathara Holdings Limited, a holding company with subsidiaries, dealing in real estate, commercial agriculture, agro-processing and hospitality. I joined the Company as Secretary, and currently do serve as Executive Assistant to the Directors and Office Manager. When I joined the Company, the late James Boro Karugu was the Chairman; a position he was relieved from in 2015 or thereabout, for reason of his illness, to an extent he could no longer manage the businesses. James Boro Karugu passed on in 2022. From year 2015 to date, the Directors are Victoria Karugu, Mwaura Karugu and Gathira Karugu; all being children to the late James Boro Karugu.

I state, my duties in my employment include, managing the Directors' diaries, managing the office, operating the company official email address [info@matharaholdings.com](mailto:info@matharaholdings.com), among others. My office space and indeed the Company offices, are at Kiamara Estate, in Kanunga, in the environs of Kiambu town.

RUC  
*[Signature]*

*[Signature]*

5/8/2025

D3  
(14)

I further state, during the Chairmanship of the late James Boro Karugu, the earlier mentioned Jane Kabiw was Company Secretary, trading in her business name Optimum Registrars. I remember, in several occasions, Jane Kabiw would visit the Chairman in his office at Kiamara Estate, where the two would hold meetings and such meetings would be recorded in Mr. Karugu's office diary. I also remember, in several occasions again, the Chairman would after such meetings, give me instructions to perform certain tasks, including supplying documents to Jane Kabiw.

5/8/25  
1430 hrs  
DC HQJ

I do here admit, that on the 14<sup>th</sup> January 2014 at 1603 hrs, I sent an email to the named Jane Kabiw, from the company's official email address [info@matharaholdings.com](mailto:info@matharaholdings.com) to her Optimum Registrar's [optimumregistrars@gmail.com](mailto:optimumregistrars@gmail.com), forwarding her a schedule of subdivision of Malewa Bay Phase 111, a property that forms part of the estate of James Boro Karugu and which had been subdivided for sale. The property is in Naivasha. I addressed the email to Jane and made reference therein, to a request made to me for the same. I also remember on the same day in a different email I forwarded Jane a schedule for the Kinja property which also forms part of the estate of James Karugu.

I state, on 5<sup>th</sup> August 2025 the investigators showed me a schedule attached to the Last Will and Testament of James Boro Karugu and initialized "JBK" and relating to the Malewa Bay property of James Boro Karugu, which I recognized and identified as the schedule I sent to Jane On 14<sup>th</sup> January 2014. Under the instructions of Victoria Karugu, on 4<sup>th</sup> August, 2025 I was asked to retrieve the email where I had forwarded the Malewa Bay Subdivision Documents with Jane Gitau. I retrieved 3 emails which I had forwarded the documents to Jane Gitau, printed the emails and handed them to Ms. Victoria Karugu. It is beyond doubt, that the schedule in question in content and structure, is one and the same.

I clearly state however, I was not informed of the purpose of the schedules when I supplied them to Jane Kabiw in January 2014. And that the same are now seen attached to the Last Will of James Boro Karugu, is an issue of have nothing to say about as I do not have knowledge of making of Wills. In the meanwhile, all emails I sent to Jane, forwarding schedules of properties in the estate of James Boro Karugu are still available.

That's all I have to state.

roc  
*[Signature]*

W.B. 5/8/2025

D3  
v)

ID NO. 23995446

BRENDA WANJIRU IRUNGU

P.O BOX 6 - 00900

NAIROBI.

M/NO. 0724609914

**FURTHER STATEMENT OF BRENDA WNJIRI IRUNGU OF ID. NO. 23995446**

I am of the particulars above, and have recorded a Statement Under inquiry, with investigators from the Directorate of Criminal Investigations on 05<sup>th</sup> August 2025, with the crust of my issue, being email communication I did from address [info@matharaholdings.com](mailto:info@matharaholdings.com) to [optimiumregistrars@gmail.com](mailto:optimiumregistrars@gmail.com) in my official employment at Mathara Holdings Limited, sometime in 2014. Further to the said statement, I wish to add as follows;

I did mention in my earlier statement, that as part of my official duties as Secretary and Office Manager, I am responsible for managing the diary of the Directors. This is a responsibility I have always done, from the time of the late Jame Boro Karugu's Chairmanship. I remember very well, I used to maintain his diary, and he would from time to time, ask me to record his scheduled meetings with either visitors coming to see him in office or people he wanted to meet them elsewhere. Among such people he met in numerous occasions, is Jane Gitau; and I did record their meetings whenever instructed to. For this fact, I have on this 11<sup>th</sup> day of August 2025, availed to investigators, copies of extracted pages of James Karugu's 2014 diary, as samples of recorded meetings. The samples of extracted pages include, 10<sup>th</sup> January, 2014, 24<sup>th</sup> January, 2014, 21<sup>st</sup> March, 2014, 2<sup>nd</sup> April, 2014, 22<sup>nd</sup> May, 2014, 5<sup>th</sup> June, 2014 and 31<sup>st</sup> July, 2014. The original diary, is in the custody of one of Mathara Holdings Limited Directors, Erick Mwaura Karugu.

That's all I add for now.

WB  
Wanjiru

11/08/2025

ROC  
Alfano

B 12  
(1)



**Mathara Holdings Ltd.**

Mathara Holdings Limited <info@matharaholdings.com>

# SUBDIVISION OF MALEWA BAY PHASE III

1 message

**Mathara Holdings Ltd.** <info@matharaholdings.com>  
To: Optimum Registrars <optimumregistrars@gmail.com>

14 January 2014 at 16:03

Dear Jane,  
kindly find attached document for the subdivision of Malewa Bay Estate as per your request.

Kind regards  
Brenda



 SUBDIVISION OF MALEWA PHASE III AS AT 10TH DEC 2012.docx  
42K

This is Exhibit marked "DM-20"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9th  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

B12  
(ii)

**SUB-DIVISION OF L.R. NO. 20/224-443**

10/12/2012

**MALEWA BAY INVESTMENT CO. LTD**

PLAN NO.	TITLE NO.	AREA (HA)	AREA (ACS)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
1	224	0.4047	1.00	Grace Wanjiru	SOLD		
2	225	0.4047	1.00	John Ngugi/Robert Waweru	SOLD		
3	226	0.4047	1.00	Westend Holdings	SOLD		
4.	227	0.4047	1.00	Westend Holdings	SOLD		
5.	228	0.4598	1.14	David Chege W.	SOLD		
6.	229	0.4695	1.16				
7.	230	0.4296	1.06				
8	231	0.4003	0.99				
9.	232	0.4047	1.00				
10.	233	0.4047	1.00				
11.	234	0.4047	1.00				
12.	235	0.4047	1.00				
13.	236	0.4047	1.00				
14.	237	0.4047	1.00				
15.	238	0.4548	1.12				
16.	239	0.4620	1.14	THE LODGE			
17.	240	0.6070	1.50	THE LODGE			
18.	241	0.6070	1.50	THE LODGE			
19.	242	0.6070	1.50	THE LODGE			
20.	243	0.6070	1.50	THE LODGE			
21.	244	0.6070	1.50	THE LODGE			
22.	245	0.6070	1.50	THE LODGE			
23.	246	0.6070	1.50				
24.	247	0.6070	1.50				
25.	248	0.6070	1.50				

B12  
(111)

PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ACRE	TOTAL AMOUNT	LAWYER
51.	274	0.4176	1.03				
52.	275	0.5220	1.29				
53.	276	0.6320	0.89	Robin Maremma	SOLD		
54.	277	0.4000	0.99	Tom Gitogo	SOLD		
55.	278	0.4047	1.00	Linah Jebii Kilimo	SOLD		
6.	279	0.4047	1.00	Phyllis Muguku	SOLD		
7.	280	0.4047	1.00	Peter Ndegwa & Lydiah Ciera	SOLD		
8.	281	0.4330	1.07	FOREST			
9.	282	0.4048	1.00	Returned to be rectified by the survey Mr. Gachuhi			
0.	283	0.7628	1.88				
1.	284	0.4176	1.03				
2.	285	0.4047	1.00				
3.	286	0.3681	0.91				
4.	287	0.4047	1.00				
5.	288	0.4050	1.00				
6.	289	0.4047	1.00				
7.	290	0.4047	1.00				
8.	291	0.5792	1.43				
9.	292	0.4047	1.00				
0.	293	0.4047	1.00				
.	294	0.4047	1.00				
.	295	0.4047	1.00				
.	296	0.4344	1.07				
.	297	0.4049	1.00				
.	298	0.4330	1.07				

AN	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ACRE	TOTAL AMOUNT	LAWYER
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B 12  
(iv)

104.	327	0.4047	1.00	Achieng Butler	SOLD		
105.	328	0.4047	1.00	Violet Mwikali Kairu	SOLD		
106.	329	0.4047	1.00	Lydia Odongo & Calisto Odongo	SOLD		
107.	330	0.4047	1.00	Peter Wandae & Kamene Wandae	SOLD		
108.	331	0.4047	1.00	Ambrose Ngare	SOLD		
109.	332	0.4047	1.00				
110.	333	0.4047	1.00	Christine Kanyiva	SOLD		
111.	334	0.4047	1.00				
112.	335	0.4047	1.00				
113.	336	0.4047	1.00				
●	337	0.4047	1.00				
115.	338	0.4544	1.12	J.B.K. COTTAGE			
116.	339	0.4047	1.00	FARM OFFICE			
117.	340	0.5624	1.39				
118.	456*	0.6964	1.72				
119.	457*	0.6068	1.50				
20.	458*	0.6070	1.50				
21.	459*	0.6070	1.50				
22.	460*	0.6070	1.50				
23.	461*	0.6190	1.53				
24.	462*	0.6070	1.50				
●	463*	0.6444	1.59				
26.	464*	0.6070	1.50				
27.	465*	0.6070	1.50				
28.	456*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
29.	467*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
30.	353	0.4154	1.11				
31.	354	0.5597	1.38				

AN	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
	355	0.5670	1.40				

B 12  
(V)

62	385	0.4047	1.00				
63	386	0.4047	1.00				
64	387	0.4047	1.00				
65	388	0.4887	1.21				
66	389	0.5426	1.34				
67	390	0.6113	1.51				
68	391	0.6077	1.50				
69	392	0.5387	1.33				
70	393	0.5162	1.28				
71	394	0.5717	1.41				
72	395	0.4274	1.06				
73	396	0.4047	1.00				
74	397	0.6071	1.50				
75	398			Returned to be rectified by the surveyor Mr. Gachuhi			
76	399	0.4047	1.00				
77	400	0.3024	0.75				
78	401	0.4047	1.00	Dr. Mailu	SOLD		
79	402	0.5686	1.65				
80	403	0.4047	1.00				
81	404	0.4963	1.23				
82	405	0.4047	1.00				
83	406	0.4047	1.00				
84	407	0.4047	1.00				
85	408	0.4047	1.00				
86	409	0.4047	1.00				

LAN NO.	TITLE	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ACRE	TOTAL AMOUNT	LAWYER
87	410	0.4047	1.00				
88	411	0.5451	1.35				
89	412	0.5198	1.28				
90	413	0.3583	0.89				
91	414			BORE HOLE No. 2			

B 12  
(vi)

UPPER PART (around the Lodge)	74	(to be sold at a later date)
LOWER PART	95	(intended for immediate sale)
<b>Sub-total</b>	<b>169</b>	(Total not sold as at 8.12.2012)
ADD: Total plots already sold	23	
<b>TOTAL PLOTS FOR SALE</b>	<b>192</b>	
ADD Total for JBK	6	(20/338, 356, 357, 441, 442, & 443)
ADD Staff Quarters & Farm Office	6	(20/339, 436, 437, 438, 439 & 440)
ADD Borehole No. 2	1	(20/414)
ADD Forest	4	(20/281, 374, 375, & 376)
ADD Lodge site (initially 11 plots of 14.23 acres but now 1)	1	(20/455)
<b>SUB-TOTAL</b>	<b>18</b>	
<b>GRAND TOTAL NO. OF PLOTS FOR PHASE III</b>	<b>210</b>	

**ALSO:**

**OLD Title No.**

**New Title No.**

1. 20/341	20/456
2. 20/342	20/457
3. 20/343	20/458
4. 20/344	20/459
5. 20/345	20/460
6. 20/346	20/461
7. 20/347	20/462
8. 20/348	20/463
9. 20/349	20/464
10. 20/350	20/465
11. 20/351	20/466
12. 20/352	20/467

# NATIONAL POLICE SERVICE

Telegrams: "CRIMINAL" Nairobi  
Email: director@cid.go.ke  
Tel: 020343312, 0202603724



MAZINGIRA HOUSE,  
KIAMBU ROAD,  
P.O BOX 30036,  
NAIROBI.

B21  
(1)

## DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/IB/ECCU/SEC/4/4/1/VOL.LXVI/238

11<sup>th</sup> July, 2025

Kaplan & Stratton Advocates,  
Williamson House,  
4<sup>th</sup> Avenue Ngong  
P.O Box 40111 - 00100  
Nairobi.



**ATTN: PETER MBUTHIA GACHUI**

**RE: ECCU INQUIRY NO. 45/2025**

**SUB: REQUEST FOR ORIGINAL WILL AND LAST TESTAMENT OF JAMES BORO KARUGU (DECEASED) FOR FORENSIC EXAMINATION**

The Directorate of criminal investigations pursuant to its mandate is investigating an allegation of forgery of Will and Last Testament of the late James Boro Karugu.

In the course of the investigations, it has been established that the original copy of Will and Last Testament was handed over to Peter Mbuthia Gachui who is among the Executors of the Will.

This is therefore to formally request that Messrs Kaplan & Stratton, avails to the DCI, to facilitate investigations, the original or certified copies of Will and Settlement Trust Deed for examination purposes.

Further we wish to invite the said Advocate Peter Mbuthia Gachui on 15<sup>th</sup> July 2025 to record statement.

Our officer Inspector Duncan Maina of mobile phone number 0723148221 will be available to receive the documents and record a statement. Room No 65.

Thank you for your cooperation.

  
A. SHURIA, OGW  
DIRECTOR OF CRIMINAL INVESTIGATIONS

This is Exhibit marked "AN-21"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

30-14  
Kaplan Stratton  
Advocates

4th Avenue Nairobi  
P.O. Box 49000  
Nairobi, Kenya

www.kaplanstratton.com  
Email: KS@kapstrat.com

VAT NO: 00112190 PIN: P0006155415

Tel: +254 20 575200  
Fax: +254 20 578200  
Mobile: +254 733 501213  
Int. Code: +254  
DZ: No. 19

321  
(ii)  
XL 135

19 MAY 2025

YOUR REFERENCE

OUR REFERENCE

DATE

PMG/KA/324/5

12 May 2025

Director of Criminal Investigations,  
Directorate of Criminal Investigations,  
Mazingira House, Kiambu Road,  
P.O Box 30036,  
NAIROBI.

Attention: Mr. Paul Wachira. OGW

Dear Sir,

REQUEST FOR THE ORIGINAL LAST WILL AND TESTAMENT OF THE LATE JAMES BORO KARUGU

We refer to your letter dated 24<sup>th</sup> April 2025 received on 7<sup>th</sup> May 2025.

Your letter refers to a copy of a letter dated 19<sup>th</sup> March 2025 suggesting the letter emanated from this firm. The letter attached is not from us but from the complainant one Victoria N. Karugu.

You have also attached a copy of an affidavit sworn by the executors of the estate of James Boro Karugu.

As you are aware the Firm of Kaplan and Stratton Advocates is holding the original will of the late James Boro Karugu under the authority and control of the Succession Court and further, pending the hearing and determination of an application made by the executors dated 5<sup>th</sup> July 2023 in the Succession Cause No. E916 of 2023; in the matter of the Estate of James Boro Karugu (Deceased). The affidavit attached to your letter is in support of that application.

We are therefore not in a position to release the original Will as we are disabled by law from doing so unless an appropriate application is made in the Succession Cause No E 916 of 2023 and orders are issued accordingly.

Yours faithfully,

Dr. Fred N. Ojiambo, SC, MBS  
Senior Partner  
KAPLAN & STRATTON

# NATIONAL POLICE SERVICE

B21  
(11)

Telegrams: "CRIMINAL" Nairobi  
Email: director @cid.go.ke  
Tel: 020343312, 0202603724.



MAZINGIRA HOUSE  
KIAMBU ROAD  
P.O. Box 30036  
NAIROBI.

## DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/IB/SCU/SEC/2/3/1/VOL.IX/171

24<sup>th</sup> April, 2025

Peter Mbuthia Gachuhi  
Kaplan & Stratton Advocates  
Williamson House  
4<sup>th</sup> Ngong Avenue 9<sup>th</sup> Floor  
P.O. Box 40111-00100  
**NAIROBI**



**RE: REQUEST FOR THE ORIGINAL LAST WILL AND TESTAMENT OF  
THE LATE JAMES BORO KARUGU**

The DCI pursuant to its mandate is carrying out investigations into allegations that the original last Will and Testament of the late James Boro Karugu was forged a complaint lodged by the late's first born daughter one Victoria Nyambura Karugu.

Provisions of Section 193 of Criminal Procedure Code provide that criminal and civil proceedings may proceed concurrently as such we would like to gain access of the Original Will in order to subject it to forensic examination.

This is therefore to kindly request that you avail the said Original Will to the investigating team for our further action.

Enclosed herewith is a copy of your letter dated 19<sup>th</sup> March, 2025 and your Affidavit stating that you are the custodians of the Will.

Your cooperation will highly be appreciated.

**PAUL WACHIRA, OGW**  
**FOR: DIRECTOR OF CRIMINAL INVESTIGATIONS**

Encls.

A1

This is Exhibit marked DM-22  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9th  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

THE LAST WILL AND TESTAMENT

OF

JAMES BORO KARUGU also known as JAMES KARUGU



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

**PETER M. GACHUHI**  
ADVOCATE  
**KAPLAN & STRATTON**  
P. O. Box 40111-00100  
Nairobi, Kenya  
*11-07-25*

*Red Amber.*  
A1  
J.B.M.

THIS IS THE LAST WILL AND TESTAMENT OF ME, JAMES BORO KARUGU also known as JAMES KARUGU of Post Office Box Number 6 - 00900, Kiambu, Kenya HEREBY REVOKING all former wills and testamentary disposition heretofore made by me.

1. I confirm that:

- (i) I am an adult of sound mind and that I make this Will of my own free will; and
- (ii) I am domiciled and resident in the Republic of Kenya.

2. I appoint Peter Gachuhi, Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia be the Executors and Trustees of this my Will. In case any of them shall die or shall refuse or be unable to act in the office of Executor and Trustee of this my Will, then I appoint:

- (i) Elizabeth Wanjiru Gathungu, to fill any vacancy in the office of Executor and Trustee hereof that may occur by reason of either of their death or refusal or inability to act as Executor and Trustee of this my Will. I declare that in the interpretation of this my Will the expression "my Trustees" shall (where the context permits) include the Executors and Trustees for the time being hereof whether original or substituted.

3. Subject to the payment of my just debts, funeral and testamentary expenses, death duties and the pecuniary legacies set out in clause 7 below and subject further to the provisions of clause 8 below, I DEVISE AND BEQUEATH:

(a) to my children with my late wife, Margaret Waithira Karugu, that is to say:

- i. VICTORIA NYAMBURA KARUGU born 28<sup>TH</sup> MAY 1967;
- ii. ROSE GATHIRA KARUGU born 12<sup>TH</sup> NOVEMBER 1971;
- iii. ERIC MWAURA KARUGU born 21<sup>ST</sup> DECEMBER 1972; and;
- iv. BENJAMIN GITHARA KARUGU and 22<sup>ND</sup> JULY 1976;

- 1) 5 % each of the shares held by me directly and indirectly in Centurion Holdings Limited equally *in stirpes* provided that the said children survive me for a period of twenty-eight (28) days.
- 2) to each of them a 2 acre portion out of the twenty acre parcel known as Land Reference Number LR NO 86/4 KIAMARA on which my residence at Kiamara Estate stands; and,

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OF THE ORIGINAL DOCUMENT  
PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
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11-07-25  
J.B.K.



- 3) to each of them 1 plot measuring 2.5acre or thereabouts at Kinja, Naivasha out of the parcels known as Land Reference Numbers 9517 Naivasha registered in my name
- a) to my sons Eric Mwaura and Benjamin Githara 1acre each of my land at kahuhu land ref LR No Muguga/Kahuho/ 468
- (b) to my children with LUCY MUTHONI GITHIRE, that is to say:
- i. ALEXUS WAITHIRA KARUGU. born 7<sup>TH</sup> DECEMBER 1990 and,
  - ii. YVONNE NJERI .KARUGU born 11<sup>TH</sup> APRIL 1994;
- 1) 5% of the shares held by me directly and indirectly in Centurion Holdings Limited equally *in stirpes* provided that the said children survive me for a period of twenty-eight (28) days;
- 2) My half acre plot in Runda L.R No 7785/899 registered in my name.
- 3) to each of them 1 plot measuring approximately one Acre or thereabouts at Naivasha out of the parcels known as Land Reference Number 20/224-443 NAIVASHA
- (c) to my children with HELLEN WAMBUI MWAURA that is to say
- i. ALLAN MWAURA born on 4<sup>th</sup> January 2004; and,
  - ii. ADAM MWAURA born on 18<sup>th</sup> August 2005;
- 1) 5% of the shares held by me directly and indirectly in Centurion Holdings Limited equally in stirpes provided that the said children survive me for a period of twenty-eight (28) days and provided further that at the time of my death such children shall have attained the age of eighteen (18) years.
- 2) To each of them 1plot measuring one -acre or thereabouts at Naivasha out of the land parcels known as Land Reference No 20/224-443 NAIVASHA
- d) To each of them 2acre portion out of the 20 acres at Kiamara land ref 86/4 /Kiambu
- e) To each of them 1 acre each of my land at kahuhu land reference Muguga/Kahuho /468
- (f) To my granddaughter, MARGARET WAITHIRA NYAMBURA daughter of VICTORIA NYAMBURA KARUGU aforesaid1% of the shares held by me directly and indirectly in Centurion Holdings Limited provided that the said grandchild survive me for a period of twenty-eight (28) days and

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provided further that at the time of my death the said grandchild shall have attained the age of eighteen (18) years.

- g) To the grandson of my late brother Njoroge 1 acre of my land at Kahuhu land reference Muguga/Kahuhu/468
- (h) To the JBK Foundation, the Settlement Trust I have established [hereinafter referred to as 'the Foundation'], 75% of the shares held by me directly and indirectly in Centurion Holdings Limited, and all the shares held in my name in all other companies and all the assets set out in the Schedule to this my Will [hereinafter referred to as 'the Remainder of the Estate'].
- i) It is my wish and desire to spend 20,000,000 million to put up a hall for kahuhu secondary school in memory of my late Mother Margaret Wathira Karugu when alive and my trustees should ensure this is done and completed even when am dead.
4. If all of the children referred to in sub-clauses 3 (a) and 3 (b) and 3(c) (d)[hereinafter referred to as 'the Children'] as aforesaid shall predecease me or shall not survive me for the period of twenty-eight (28) days, I DEVISE AND BEQUEATH absolutely all my Estate to my Trustees UPON TRUST to sell, call in and convert the same into money with power to postpone the sale calling in or any conversion thereof for so long as they shall in their absolute discretion think fit without being liable for loss.
5. My Trustees shall hold the Remainder of the Estate and manage the Foundation upon the following trusts:
- (a) UPON TRUST to pay all my just debts, funeral and testamentary expenses, death duties and the pecuniary legacies set out in clause 7 below and subject further to the provisions of clause 8 below;
- (b) UPON TRUST to invest my Residuary Estate in any investments authorized by law and to stand possessed of such investments and all my Residuary Estate for the time being unutilized provided that my Trustees shall not invest in their own business or the business of their close associates;

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- (c) UPON TRUST for the benefit of such of the Children [in the shares specified in Clause 3 *per stirpes*] pending their attainment of the age of eighteen (18) years;
- (d) UPON TRUST to use their discretion in the realization of Residuary Estate, with power to them to sell, call in and convert into money any part of Residuary Estate not consisting of money at such time or times in such manner and upon such terms, and either for cash or credit or for part cash and part credit as the Trustees in their absolute discretion may decide upon, or to postpone such conversion of my estate or any part or parts thereof for such length of time as they may think best, and I HEREBY DECLARE that the Trustees shall have a separate and substantive power to retain any of my investments or assets in the form existing at the date of my death at their absolute discretion without responsibility for loss to the intent that investments or assets so retained shall be deemed to be authorized investments for all purposes of this my Will.
- (e) UPON TRUST to make any decision of Residuary Estate or set aside or pay any share or interest therein, either wholly or in part, in the assets forming Residuary Estate at the time of my death or at the time of such division, setting aside or payment, and I declare that my Trustees shall, in their absolute discretion, fix the value of my Estate or any part thereof for the purpose of making any such decisions or ,setting aside payment, and their decision shall be final and binding upon all persons concerned. In fixing the value of the assets of my Estate, I direct my Trustees to keep an even hand and I direct them to take into account not only fair market value of capital property but also its adjusted cost base.
- (f) UPON TRUST to make a distribution of assets according to the items of this my Will if, in their opinion, there is no further liability for any taxes even though they have not obtained a clearance. My Trustees may, if they consider it advisable, make any such distribution, and as a condition for so doing shall have the right to ask for and receive signed indemnification from the beneficiaries to whom any such distributions are made.

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*P. M. Gachuhi*  
11-07-25  
*J. B. h.*

- (g) UPON TRUST to pay my just debts, funeral, and testamentary expenses, and all estate, legacy, succession and inheritance taxes and duties (if any), whether imposed by or pursuant to the law of any domestic or foreign jurisdiction whatsoever, that may be payable in connection with the property passing (or deemed to pass by any governing law) on my death or in connection with any insurance on my life or in connection with any gift or benefit given or provided by me either in my lifetime or by the survivorship or by this my Will or any Codicil thereto, and whether such taxes and duties payable in respect of estates or interests which fall into possession at my death or any subsequent time; and I hereby authorize my Trustees to commute or repay any such taxes or duties.
- (h) To keep invested my Residuary Estate and to pay the net income derived therefrom to or for the Children during their lifetime as follows:

(a) Victoria Nyambura Karugu	KES	1.2 million	per annum;
(b) Rose Gathira Karugu -	KES	1.2 million	per annum
(c) Eric Mwaura Karugu -	KES	1.2 million	per annum;
(d) Benjamin Githara Karugu -	KES	1.2million	per annum
(e) )Adam Mwaura Karugu	KES	1.2 million	per annum
(f) Allan Mwaura Karugu	KES	1.2 million	Per annum
(g) Alexis Waithira karugu	KES	1.2 Million	per annum
(h) Yvonne Njeri karugu	KES	1.2 million	per annum

provided that the said income may be paid to any of the beneficiaries monthly or at such other intervals as such beneficiary may request and provided further that if in any year the net income from my Residuary Estate should be less than the said sum, the deficiency in such year shall be made up out of the capital of my Residuary Estate. This monthly income is subject to review as and when the trustees consider appropriate.

and I hereby declare that in the interpretation of this my Will the expression "Residuary Estate" shall mean the balance remaining of my Estate after payment from my Estate of any of my just debts, funeral and testamentary expenses, the

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bequests to the Children pursuant to Clause 3 and the pecuniary legacies set out in clause 7 below.

6. I make the following provisions for the appointment of guardians for any of the Children who may not have attained the age of eighteen years at the time of my death until such child or children as aforesaid shall attain the age of (18) years .

(a) I APPOINT Hellen Wambui Mwaura to be guardian of Allan Mwaura and Adam Mwaura provided that in the event that Hellen Wambui Mwaura shall have predeceased me or be unable or unwilling to act as guardian, I appoint:

Peter Mbuthia Gachuhi, Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia as guardians of Allan Mwaura and Adam Mwaura as aforesaid.

(b) I DIRECT that the guardians shall be fully responsible for the care custody welfare shelter and accommodation and general upbringing of such minor child or children as aforesaid (as the case may be).

(c) I DIRECT that when my son Adam Mwaura Karugu is of age he be appointed a trustee of this my estate.

7. I make the following specific pecuniary legacies:

(a) In the absence of any of my children who would want to use, I bequeath the library at the University Of Nairobi School Of Law at Parklands, such of my books as my Trustees shall decide.

8. I bequeath:

(a) to Riara Catholic Mission the sum of Kenya Shillings One Million [KES 1,000,000);

(b) to the Bowling Green State University, Ohio the sum of United States Dollars 25,000 in recognition of their support to me to join Lincons INN to pursue my legal studies provided that the same is applied towards supplementing scholarship funds for undergraduate study in the humanities by a students from Africa and more so from Kenya ; and in particular Kahuho.



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9. I direct that my Trustees shall have and enjoy all the powers authorities and discretions conferred on Trustees or executors by any statutory enactment or otherwise.
10. I direct that my trustees do maintain the trust as JBK foundation.
11. I direct that my trustees do transfer all of my movable assets in the Remainder of the Estate to the Foundation and cause them to be registered in its name.
12. I direct that my son Eric Mwaura and two of my trustees, being Peter Gachuhi and Rev Joshua Mwaura Kimani operate all my bank accounts jointly and before any expenditure is made therefrom the two named trustees shall raise a budget which shall be approved by all my trustees .
13. I direct that all the monies held in all my bank accounts or any other monies that may be paid to the trust 20% thereof shall be directed towards education of children at all levels under the JBK foundation and the remaining 80% be utilized for investment and development, maintenance of the properties owned by JBK foundation as duly unanimously recommended by the Trustees.
14. I direct that my trustees do manage the JBK foundation in a sustainable and efficient manner and in so doing they shall not pass over this power to their spouses, children or mothers whether by power of attorney or in any manner whatsoever.
15. My trustees shall hold any personal effects and any other assets not specifically bequeathed for the benefit and general advancement of the beneficiaries. AND in addition thereto the Trustees shall have following powers authorities and discretions:
  - a. Power to invest the proceeds of the Residuary Estate available for investment in or upon such land, stocks, shares securities or other investments of whatsoever nature and kind and whosoever situate and whether involving liability or not or upon such personal credit with or without security as my Trustees shall think fit and with the like absolute power of varying such investments to the intent that my trustees shall have and enjoy full free and unfettered powers of investment;



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*P*  
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- b. Power to insure against loss and damage howsoever arising in respect of any property for the time being comprised in my Residuary Estate to the full replacement value and to pay any premiums in respect thereof and at the Trustees absolute discretion to apply any monies from such insurance either towards making good the loss or damage in respect of which it was received or as if it were the proceeds of sale of the insured property; and
- c. Power prior to such of the Children as will be minors at the time of my death attaining the age of eighteen (18) years as aforesaid to advance such amount[s] as they shall in their discretion deem reasonably adequate from the income and capital of my Residuary Estate to the Guardians for the education maintenance or advancement in life or otherwise for the benefit of such child or children without being liable to see to the application thereof and the receipt of any Guardian shall be a sufficient discharge to my Trustees.
- 16 I declare that any Trustee of this my Will and of any Codicil that I may make hereto being an advocate or solicitor or other person engaged in any other profession or occupation may be so employed or act and shall be entitled to charge and be paid all proper and reasonable professional and other charges for any business or act done by him or his firm in proving this Will and any Codicil I make hereto and acting in the trusts thereof including acts which an Executor or Trustee could have done personally provided that such charges are agreed in advance between such professional Trustee and the other Trustees.
- 17 None of my Trustees shall be personally liable for any breach of trust whether by way of commission or omission done or suffered unless it shall be proved that at the time of his doing or suffering such breach or of his concurrence therein such act or default was done or suffered by him mala fide.
18. I desire that my body be buried at my Kiamara Estate next to my wife's grave
19. It is my desire that all the properties that I shall acquire after the date of this my will be transferred to JBK foundation unless otherwise provided.

THE SCHEDULE HEREINBEFORE REFERRED TO A

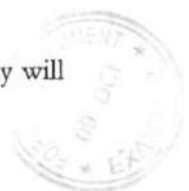
*[all moveable and immoveable assets, accounts, cash and near cash held in personal name] Company name*

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ADVOCATE  
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Nairobi, Kenya

*11-07-25*

*J.B.K.*



IN WITNESS whereof I have hereunto set my hand this <sup>2<sup>nd</sup></sup> day  
of April two thousand and 14

SIGNED by the said JAMES BORO KARUGU ]

also known as JAMES KARUGU ]

as his last Will in the presence of ]

us both being present at the same ]

time who at his request in his ]

presence and in the presence of each ]

other have hereunto subscribed our ]

names as witnesses:

]  
] J. B. Karugu  
] <sup>AI</sup>  
] William Kimani Richu  
] [Signature]  
] JANE WANGECH KABU  
] [Signature]



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PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111-00100  
Nairobi, Kenya

[Signature]  
11-07-25

J.B.h.

SCHEDULE OF THE PROPERTIES IMMOVABLE & MOVABLE

SCHEDULE A

	SIZE	Registered proprietor
LR NO NYANDARUA /KAHURU/5610	21.537HA	FRME PLANTATIONS LTD
KIAMARA LOWER LR NO 86/3	305.4156	MATHARA HOLDINGS LTD
RUNDA BOUNDARY LR NO 85/28	4.359	J.B KARUGU
KIAMARA LR 12937/2	186.84	MATHARA HOLDINGS LTD
KIAMARA LR 12938	139.86	MATHARA HOLDINGS LTD
NAIVASHA MARAIGUSHUBLOCK 20/338	0.4544	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/356	0.6844	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/357	0.6383	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/441	17.457	J.B KARUGU
NAIVASHA MARAIGUSHUBLOCK20/442	18.750	J.B KARUGU
NAIVASHA /MARAIGUSHU BLOCK 20/443	12.732	J.B KARUGU
MSAMBWENI LAND SOUTH EAST KWALE TOWN CR 30651	1.412HA	MATHARA HOLDINGS LTD
MUGUGA /KAHUHO/468	9ACRES	J.B KARUGU
LR NO 214/277 MUTHAIGA	1.062	EMPIRE CONSOLIDATED
LR NO 209/642 NAIROBI (AVENUE HSE)	0.0702	MATHARA HOLDINGS Ltd
LR NO 209/1068 FLAT 12 (DELAMERE)		J.B KARUGU
LR NO 209/1068 FLAT 11 (DELAMERE)		J.B KARUGU
LR NO 157/33,156/9157/2 AND 1025 SOUTH EAST LIMURU		NASICO LIMITED
LR. NO 20/224 -443 (Naivasha) (as attached)		MALEWA BAY INVESTMENTS CO LTD
LR NO 9517/66-71 ((Kinja)		J.B KARUGU
LR NO 9517/61		CENTURION HOLDINGS LTD

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*P. M. G.*  
11-07-25

*J.B.K.*

MOTOR VEHICLES

TOYOTA FORTUNER	KBL 397S
TOTOTA LAND CRUISER	KBA 393T
NEW TOYOTA LAND CRUISER AUTOMATIC	KBE 940V
DAIHATSU APPLAUSE	KAD 828S
TOYOTA HILUX-PICK -UP	KAH 710Z
ISUZU FTR 54 PICK UP	KAK 4852V
ISUZU NKR 66,3TON TRUCK	KBK 487J
TATA LORRY	KAD 730N
NISSAN VAN	KAW 380U

TREASURY BONDS

	KSHS
CENTRAL BANK BOND (Centurion Holdings)	100,000,00
KENGEN BOND (Mathara holding Ltd )	150,000,000
CORPORATE BOND (centurion holdings)	154,700,000

SHARES IN COMPANIES

<u>COMPANIES</u>	<u>TOTAL NO OF SHARES</u>
1. Kenya power & lightning co ltd	7,000,000.
2. Maramba Holdings Limited	48
3. Nation Media Group Ltd	27720

FIXED DEPOSITS

Chase Bank

Malewa Bay investment Ltd

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*[Signature]*  
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*[Signature]*  
J.B.h.

Centurion holdings

Consolidated Bank

Empire consolidated

Centurion Holdings Ltd

BANK ACCOUNTS

Chase Bank Hurlingham Branch

A/C 106226008

A/C 5301750012

Consolidated Bank River road

A/C 1101700153005

ABC BANK LTD ABC House

A/C 10010062002

ABC (JBK FOUNDATION)

A/C 13000018433



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*[Signature]*  
11-07-25

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15<sup>th</sup> October, 2012

LIST OF KINJA PLOTS THAT ARE NOT SOLD.

KINJA L.R. NO. 9517

<u>PLOT NUMBER</u>	<u>ACREAGE</u>
1. L.R. 9517/66	2.50
2. L.R. 9517/67	2.50
3. L.R. 9517/68	2.59
4. L.R. 9517/69	2.50
5. L.R. 9517/70	2.50
6. L.R. 9517/71	2.59
7. L.R. 9517/61 (Dr. Irvine's Estate)	1.55
<u>TOTAL</u>	<u>16.73</u>



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**NOTES:**  
**SUMMARY**

UPPER PART (around the Lodge)	74	(to be sold at a later date)
LOWER PART	95	(intended for immediate sale)
<b>Sub-total</b>	<b><u>169</u></b>	(Total not sold as at 8.12.2012)
ADD: Total plots already sold	23	
<b>TOTAL PLOTS FOR SALE</b>	<b><u>192</u></b>	
ADD Total for JBK	6	(20/338, 356, 357, 441, 442, & 443)
ADD Staff Quarters & Farm Office	6	(20/339,436,437,438,439 & 440)
ADD Borehole No. 2	1	(20/414)
ADD Forest	4	(20/281, 374, 375, &376)
ADD Lodge site (initially <i>11 plots of 14.23 acres</i> but now 1)	1	(20/455)
<b><u>SUB-TOTAL</u></b>	<b><u>18</u></b>	
<b>GRAND TOTAL NO. OF PLOTS FOR PHASE III</b>	<b><u>210</u></b>	

**ALSO:**

<b><u>OLD Title No.</u></b>	<b><u>New Title No.</u></b>
1. 20/341	20/456
2. 20/342	20/457
3. 20/343	20/458
4. 20/344	20/459
5. 20/345	20/460
6. 20/346	20/461
7. 20/347	20/462
8. 20/348	20/463
9. 20/349	20/464
10. 20/350	20/465
11. 20/351	20/466
12. 20/352	20/467



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*P*  
*11-07-25*

*J.B.H.*

UB-DIVISION OF L.R. NO. 20/224-443 ✕

10/12/2012

**MALEWA BAY INVESTMENT CO. LTD**

PLAN NO.	TITLE NO.	AREA (HA)	AREA (ACS)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
1	224	0.4047	1.00	Grace Wanjiru	SOLD		
2	225	0.4047	1.00	John Ngugi/Robert Waweru	SOLD		
3	226	0.4047	1.00	Westend Holdings	SOLD		
4	227	0.4047	1.00	Westend Holdings	SOLD		
5	228	0.4598	1.14	David Chege W.	SOLD		
6	229	0.4695	1.16				
7	230	0.4296	1.06				
8	231	0.4003	0.99				
9	232	0.4047	1.00				
10	233	0.4047	1.00				
11	234	0.4047	1.00				
12	235	0.4047	1.00				
13	236	0.4047	1.00				
14	237	0.4047	1.00				
15	238	0.4548	1.12				
16	239	0.4620	1.14	THE LODGE			
17	240	0.6070	1.50	THE LODGE			
18	241	0.6070	1.50	THE LODGE			
19	242	0.6070	1.50	THE LODGE			
20	243	0.6070	1.50	THE LODGE			
21	244	0.6070	1.50	THE LODGE			
22	245	0.6070	1.50	THE LODGE			
23	246	0.6070	1.50				
24	247	0.6070	1.50				
25	248	0.6070	1.50				

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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
26	249	0.6070	1.50				
27	250	0.4047	1.00				
28.	251	0.4047	1.00				
29.	252	0.4047	1.00				
30.	253	0.4047	1.00				
31.	254	0.4047	1.00				
32.	255	0.4047	1.00				
33.	256	0.4047	1.00				
34.	257	0.4047	1.00				
35.	258	0.6449	1.59				
36.	259	0.4312	1.07	THE LODGE			
37.	260	0.4047	1.00				
38.	261	0.4047	1.00				
39.	262	0.4312	1.07				
40.	263	0.4140	1.02	THE LODGE			
41.	264	0.4047	1.00	THE LODGE			
42.	265	0.4047	1.00	THE LODGE			
43.	266	0.3640	0.90				
44.	267	0.4082	1.01				
45.	268	0.5035	1.24				
46.	269	0.4272	1.06				
47.	270	0.4160	1.03				
48.	271	0.4240	1.05				
49.	272	0.4047	1.00				
50.	273	0.4464	1.10				

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25  
J.B.K.

PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
51.	274	0.4176	1.03				
52.	275	0.5220	1.29				
53.	276	0.6320	0.89	Robin Maremma	SOLD		
54.	277	0.4000	0.99	Tom Gitogo	SOLD		
55.	278	0.4047	1.00	Linah Jebii Kilimo	SOLD		
56.	279	0.4047	1.00	Phyllis Muguku	SOLD		
57.	280	0.4047	1.00	Peter Ndegwa & Lydia Ciera	SOLD		
58.	281	0.4330	1.07	FOREST			
59.	282	0.4048	1.00	Returned to be rectified by the survey Mr. Gachuhi			
60.	283	0.7628	1.88				
61.	284	0.4176	1.03				
62.	285	0.4047	1.00				
63.	286	0.3681	0.91				
64.	287	0.4047	1.00				
65.	288	0.4030	1.00				
66.	289	0.4047	1.00				
67.	290	0.4047	1.00				
68.	291	0.5792	1.43				
69.	292	0.4047	1.00				
70.	293	0.4047	1.00				
71.	294	0.4047	1.00				
72.	295	0.4047	1.00				
73.	296	0.4344	1.07				
74.	297	0.4049	1.00				
75.	298	0.4330	1.07				

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PLAN	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
76.	299	0.3987	0.98				
77.	300	0.4047	1.00				
78.	301	0.5791	1.43				
79.	302	0.6070	1.50				
80.	303	0.6530	1.61				
81.	304	0.4641	1.15				
82.	305	0.4047	1.00				
83.	306	0.3542	0.87				
84.	307	0.4032	1.00				
85.	308	0.4047	1.00				
86.	309	0.4640	1.15				
87.	310	0.4047	1.00				
88.	311	0.4047	1.00				
89.	312	0.4047	1.00				
90.	313	0.4116	1.02				
91.	314	0.4080	1.01				
92.	315	0.4047	1.00				
93.	316	0.4047	1.00				
94.	317	0.4047	1.00				
95.	318	0.4068	1.00				
96.	319	0.3847	0.95				
97.	320	0.6200	1.53				
98.	321	0.6073	1.50	Nelson Chege	SOLD		
99.	322	0.6288	1.55	Nelson Kuria	SOLD		
100.	323	0.6246	1.54	David Kipruto Rono	SOLD		
101.	324	0.6076	1.50				
102.	325	0.6070	1.50				



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PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
103.	326	0.4047	1.00				
104.	327	0.4047	1.00	Achieng Butler	SOLD		
105.	328	0.4047	1.00	Violet Mwikali Kairu	SOLD		
106.	329	0.4047	1.00	Lydia Odongo & Calisto Odongo	SOLD		
107.	330	0.4047	1.00	Peter Wandae & Kamene Wandae	SOLD		
108.	331	0.4047	1.00	Ambrose Ngare	SOLD		
109.	332	0.4047	1.00				
110.	333	0.4047	1.00	Christine Kanyiva	SOLD		
111.	334	0.4047	1.00				
112.	335	0.4047	1.00				
113.	336	0.4047	1.00				
114.	337	0.4047	1.00				
115.	338	0.4544	1.12	J.B.K. COTTAGE			
116.	339	0.4047	1.00	FARM OFFICE			
117.	340	0.5624	1.39				
118.	456*	0.6964	1.72				
119.	457*	0.6068	1.50				
120.	458*	0.6070	1.50				
121.	459*	0.6070	1.50				
122.	460*	0.6070	1.50				
123.	461*	0.6190	1.53				
124.	462*	0.6070	1.50				
125.	463*	0.6444	1.59				
126.	464*	0.6070	1.50				
127.	465*	0.6070	1.50				
128.	466*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
129.	467*	0.6070	1.50	Eng. Macharia (contractor)	SOLD		
130.	353	0.4154	1.11				
131.	354	0.5597	1.38				

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*[Handwritten Signature]*  
11-07-25

*[Handwritten Signature]*  
J.B.K.

PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
132	355	0.5670	1.40				
133	356	0.6844	1.69	MD'S HOUSE			
134	357	0.6383	1.58	MANAGER'S HOUSE			
135	358	0.3895	0.96				
136	359	0.5218	1.29				
137	360	0.6070	1.50				
138	361	0.6070	1.50				
139	362	0.6206	1.53				
140	363	0.4120	1.02				
141	364	0.4047	1.00				
142	365	0.4047	1.00				
143	366	0.4047	1.00				
144	367	0.4047	1.00				
145	368	0.4047	1.00				
146	369	0.4047	1.00				
147	370	0.6071	1.50				
148	371	0.6119	1.51				
149	372	0.6118	1.51				
150	373	0.5166	1.28				
151	374	1.0320	2.55	FOREST			
152	375	1.0820	2.67	FOREST			
153	376	1.0720	2.65	FOREST			
154	377	0.6070	1.50				
155	378	0.6070	1.50				
156	379	0.6070	1.50				
157	380	0.6070	1.50				
158	381	0.6070	1.50				

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Nairobi, Kenya

*[Handwritten Signature]*  
11-07-25

*[Handwritten Signature]*  
J.B.h.

LAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
159	382	0.4047	1.00				
160	383	0.4047	1.00				
161	384	0.4047	1.00				
162	385	0.4047	1.00				
163	386	0.4047	1.00				
164	387	0.4047	1.00				
165	388	0.4887	1.21				
166	389	0.5426	1.34				
167	390	0.6113	1.51				
168	391	0.6077	1.50				
169	392	0.5387	1.33				
170	393	0.5162	1.28				
171	394	0.5717	1.41				
172	395	0.4274	1.06				
173	396	0.4047	1.00				
174	397	0.6071	1.50				
175	398			Returned to be rectified by the surveyor Mr. Gachuhi			
176	399	0.4047	1.00				
177	400	0.3024	0.75				
178	401	0.4047	1.00	Dr. Mailu	SOLD		
179	402	0.6686	1.65				
180	403	0.4047	1.00				
181	404	0.4963	1.23				
182	405	0.4047	1.00				
183	406	0.4047	1.00				
184	407	0.4047	1.00				
185	408	0.4047	1.00				
186	409	0.4047	1.00				



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KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

*P*  
11-07-25

*J.B.H.*

PLAN NO.	TITLE NO.	AREA (HA.)	AREA (ACS.)	PURCHASER	AMOUNT/ ACRE	TOTAL AMOUNT	LAWYER
187	410	0.4047	1.00				
188	411	0.5451	1.35				
189	412	0.5198	1.28				
190	413	0.3583	0.89				
191	414			BORE HOLE No. 2 (Returned to be rectified by the surveyor Mr. Gachuhi)			
192	415	0.3757	0.93				
193	416	0.3642	0.90	Njenga Karugu	SOLD		
194	417	0.6592	1.63				
195	418	0.4102	1.01				
196	419	0.7464	1.84				
197	420	0.4047	1.00				
198	421	0.4047	1.00				
199	422	0.4047	1.00				
200	423	0.4047	1.00				
201	424	0.4047	1.00				
202	425	0.4047	1.00				
203	426	0.4047	1.00				
204	427	0.4047	1.00				
205	428	0.5397	1.47				
206	429	0.4047	1.00				
207	430	0.4047	1.00				
208	431	0.4047	1.00				
209	432	0.4047	1.00				
210	433	0.4047	1.00				
211	434	1.1270	2.78				
212	435	0.4047	1.00				
213	436	0.5116	1.26	Workers Quarters			
214	437	0.4047	1.00	Farm Office			
215	438	0.4226	1.04	Farm Office			
216	439	0.4021	0.99	Farm Office			
217	440	2.0234	5.00	Workers Camp			
218	441	17.4570	43.12	FARM			
219	442	18.7500	46.31	FARM			
220	443	12.7320	31.45	FARM			
	ROAD	11.7050	28.91				

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PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

*[Handwritten Signature]*  
11-07-25

*[Handwritten Signature]*  
J.B.h.

A2

DATED THIS 2nd DAY OF April 2014

JAMES BORO KARUGU  
(the Settlor)

and  
PETER MBUTHIA GACHUHI,  
ELIUD KARUGU GATAMBIA &  
REV JOSHUA MWAURA KIMANI.  
(the Original Trustees)

Settlement Trust Deed establishing the  
JBK FOUNDATION



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P.O. Box 40111-0010  
Nairobi, Kenya

1  
[Signature]  
11-07-25

[Signature: J.B.H.]

KSHS 200k  
+  
KSHS 200k

OFF  
F10  
24/10

This Deed establishing the Settlement Trust to be known as the JBK Foundation ('the Trust') is made the 2nd day of April two thousand 2014 between JAMES BORO KARUGU of P O BOX 6 - 00900 Kiambu in the Republic of Kenya (hereinafter referred to as 'the Settlor') of the one part, and PETER MBUTHIA GACHUHI of P.O Box Nairobi, ELIUD KARUGU GATAMBIA of P.O BOX ..... and JOSHUA MWAURA KIMANI of P.O BOX.113 NORTH KINANGOP in the said Republic as trustees for the time being of the Trust (hereinafter referred to as 'the Original Trustees'), of the other part.

Pf10

WHEREAS:

1. The Settlor wishes to make an irrevocable Settlement for the purpose of perpetuating the JBK name in the future and to ensure that the assets and incomes of the Settlor are well managed and maintained and his properties which are presently undeveloped will be developed to generate future income and that his immediate family will work together at all times for the Trust, and that if for whatever reason any disputes are to arise these must be resolved amicably it being his sincere and earnest wish that no contentious proceeding shall ever be entered into by the Trustees or other members of his immediate family and with that object in view shall forthwith transfer to the Trust the sum of Kenya Shillings Five Hundred Thousand only (Kshs 500,000.00) and may hereafter cause to be paid or transferred to the Trust further moneys investments or other property by way of addition to the Trust Fund hereby constituted.
2. It is intended that the Trust shall be irrevocable.
3. The Settlor shall pay a sum of Kenya shillings Five Hundred Thousand Only (Kshs 500,000.00, hereinafter 'the initial Fund') to the Trust.
4. It is the wish of the Settlor that the remainder of the Assets listed in the Schedule (A) annexed hereto be transferred to the Trust.
5. It is contemplated that further property or assets will be transferred or invested in the Trust by or at the instance of the Settlor and further that upon the death of the Settlor the Assets so specified in his Last Will and Testament shall be transferred to the Trust to be held upon trust hereof as an addition to the trust hereby constituted.

V. Wanjane 478



AND

The Trust is not registered under the Companies Act or the Societies Act but the Trustees may if they deem it necessary procure its registration under the Trustees (Perpetual Succession) Act.

NOW THIS DEED WITNESSETH that in pursuance to the said wish the Original Trustees at the request and with the consent and concurrence of the Settlor WILL CONSTITUTE themselves under the name and style of the JBK FOUNDATION UPON Trusts and for and with the purposes and objects and with or subject to powers provisions terms and

VERIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25

J.B.K.

KShs 240  
+  
KShs 200k

OFF  
F10  
24/10

This Deed establishing the Settlement Trust to be known as the JBK Foundation ('the Trust') is made the 2nd day of April two thousand 2014 between JAMES BORO KARUGU of P O BOX 6 - 00900 Kiambu in the Republic of Kenya (hereinafter referred to as 'the Settlor') of the one part, and PETER MBUTHIA GACHUHI of P.O Box NAIROBI, ELIUD KARUGU GATAMBIA of P.O BOX ..... and JOSHUA MWAURA KIMANI of P.O BOX.113 NORTH KINANGOP in the said Republic as trustees for the time being of the Trust (hereinafter referred to as 'the Original Trustees'), of the other part.

Pf10

WHEREAS:

1. The Settlor wishes to make an irrevocable Settlement for the purpose of perpetuating the JBK name in the future and to ensure that the assets and incomes of the Settlor are well managed and maintained and his properties which are presently undeveloped will be developed to generate future income and that his immediate family will work together at all times for the Trust, and that if for whatever reason any disputes are to arise these must be resolved amicably it being his sincere and earnest wish that no contentious proceedings shall ever be entered into by the Trustees or other members of his immediate family and with that object in view shall forthwith transfer to the Trust the sum of Kenya Shillings Five Hundred Thousand only (Kshs 500,000.00) and may hereafter cause to be paid or transferred to the Trust further moneys investments or other property by way of addition to the Trust Fund hereby constituted.

U. W. Jane \* 478



2. It is intended that the Trust shall be irrevocable.

3. The Settlor shall pay a sum of Kenya shillings Five Hundred Thousand Only (Kshs 500,000.00, hereinafter 'the initial Fund') to the Trust.

4. It is the wish of the Settlor that the remainder of the Assets listed in the Schedule (A) annexed hereto be transferred to the Trust.

5. It is contemplated that further property or assets will be transferred or invested in the Trust by or at the instance of the Settlor and further that upon the death of the Settlor the Assets so specified in his Last Will and Testament shall be transferred to the Trust to be held upon trust hereof as an addition to the trust hereby constituted.

AND

The Trust is not registered under the Companies Act or the Societies Act but the Trustees may if they deem it necessary procure its registration under the Trustees (Perpetual Succession) Act.

NOW THIS DEED WITNESSETH that in pursuance to the said wish the Original Trustees at the request and with the consent and concurrence of the Settlor WILL CONSTITUTE themselves under the name and style of the JBK FOUNDATION UPON Trusts and for and with the purposes and objects and with or subject to powers provisions terms and

J.B.K.



conditions hereinafter in the schedule contained and HEREBY JOINTLY AND SEVERALLY ACCEPT the aforementioned trust and the Trusts herein contained.

1. NAME: The name of the Trust shall be "JBK FOUNDATION".

2. DEFINITIONS:

The following words and phrases shall where the context so admits and requires bear and have the several meanings hereinafter ascribed to the same respectively.

- a). "the Trust" shall mean "JBK FOUNDATION" as established and shall include its successors in title.
- b). "the Rules" shall mean the Rules if any made by the Trustees in pursuance of the power in that behalf herein contained or of other powers if any thereto them enabling.
- c). "the Trustees" shall mean the persons for the time being holding office as trustees of the JBK FOUNDATION.
- d). "the Beneficiaries" shall mean the following;
  - i. all beneficiaries of the estate of the Settlor as provided in his Last Will and Testament;
- e). "the Assets" mean the initial Fund, the immovable and movable assets specified in the schedule(A) annexed hereto as well as all other the assets subsequently transferred to the Trust as hereinbefore provided for.

3. OBJECTS OF THE TRUST

The objects of the Trust are:

- a). To take over all and /or any movable or immovable property and money now or at any time belonging to or held in trust for JBK FOUNDATION.
- b). To invest the Assets and available income generated therefrom from time to time requiring to be invested under the provisions hereof in the names or under the control of the Trustees in the manner hereinafter authorized with power at their discretion at any time and from time to time to realize any property or investments for the time being subject to the trust hereof (including any investments or property other than cash that may hereafter be transferred to or otherwise vested in the trust by or at the instance of the Settlor without any other direction or declaration of trust and the property for the time being representing the same) and to lay out or re-invest the net proceeds thereof in such manner aforesaid.

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OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

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J.B.K.



- c). To do all such other lawful acts deeds matters and things as are incidental or conducive to the attainment of the above objects and any of them and in particular so that the purposes and objects of the Trust shall be furthered to the greatest possible extents.
- d). It is hereby made clear that JBK FOUADATION shall not lend or give any money to the Trustees, beneficiaries, family members or any other person or body.

4. THE TRUSTEES

- i) The Trustees shall be answerable to each other jointly and severally and to the beneficiaries as stated under the beneficiary clause.
- ii) The Trustees shall not delegate or assign their responsibilities hereunder.
- iii) Each Trustee shall have a defined role with defined responsibility and allowance which shall be defined and approved by the Trustees.
- iv) The first Chairman of the Trust shall be JAMES BORO KARUGU for life while the second chairman shall be PETER MBUTHIA GACHUHI for life. Thereafter the Trustees will unanimously choose one amongst themselves to be Chairman. The third and subsequent holders of the office of Chairman will have a term of two (2) years and will not be allowed to have more than two consecutive terms.
- v) The decision of the Trustees in their selection of Chairman shall be by unanimous resolution.
- vi) The Trustees of the Trust shall be persons named hereinabove or such other person be appointed from time to time
- vii) The Power of appointing new or additional Trustees hereof and of removing existing Trustees shall be vested in the Settlor if living and exercisable by deed and after his death the power of appointing new or additional Trustees shall vest in the other Trustees in the following manner, the Trustees shall propose two names of individuals and the new Trustee shall be appointed unanimously by agreement on 100% votes of the Trustees of the Trust
- viii) From and after the expiration of the Trust period and subject to the trusts and powers hereinbefore contained the Trustees shall hold the capital and income of

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the Fund upon the same trusts as are contained herein (so far as the law may permit) for a further Trust Period as defined and thereafter to be extended for a further period so long as the same does not offend the eighty (80) year rule.

- ix) In the event that any of the Trustee as beneficiary seek to challenge whether in court or in any other legal manner howsoever the provisions of this Trust he shall ipso facto and automatically forfeit all the rights hereunder including the right to remain as a Trustee.
- x) During the life of the Settlor, the number of the Trustees shall be four (4) but upon the Settlor's death the Trustees shall appoint an additional Trustee as provided in this deed.

## 5. MANAGEMENT

### (a) MEETINGS

The Trustees shall meet from time to time as may be required for the purposes of dealing with the business of the Trust and they shall carry out their businesses in accordance with the accepted norms and practices of business. The Trustees shall in every year meet at least Four times but if need be they shall meet as need arises.

### (b) CONVENING OF MEETINGS

The Trustees may at any time request the Secretary or the Chairman to convene a meeting of the Trustees and such a meeting shall be convened accordingly. Notice in writing or such meeting shall be sent by registered post or recorded delivery at least 14 days before such meeting by the secretary or chairman or some other person appointed for this purpose unless the Trustees concerned shall agree to accept a shorter notice.

### (c) QUORUM

A quorum at a meeting of Trustees shall be three.

### (d) CHAIRMAN

The Chairman shall preside at all meetings of the Trustees but in the event of a vacancy in the office of Chairman or if at any meeting the Chairman may not be present within a reasonable time or the time appointed for the holding the same the Trustees shall choose someone out of their number to be and he shall be duly elected chairman of such meeting. All Trustees must attend meetings in person and not by proxy whatsoever.

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Nairobi, Kenya

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(e) VOTES

Questions arising at any meeting of the Trustees shall be decided by a majority of votes. Each Trustee shall have a vote and in the case of equality of votes the Chairman shall have a casting vote.

(f) MINUTES

The Trustees shall cause proper Minutes to be kept in a minutes book (in which shall be recorded the names of the Trustees for the time being) of the proceedings at their meetings which minutes shall be signed by the chairman of the meeting and all minutes purporting to be signed as aforesaid shall be accepted as conclusive evidence of the matters stated therein.

(g) NOTICES

Any notice required to be given under these presents or under the Rules may be given by sending it through the post (registered) or by hand addressed to the person for it is intended at his last known place of address and any notice so sent shall be deemed to have been served on the respective person when in the ordinary course of posting it would have been delivered.

(h) BOOKS

The Trustees shall cause a complete record to be kept in proper books of accounts of all income and outgoings of the Trust.

(i) SECRETARY

The Trustees shall appoint a Secretary amongst themselves and shall employ such officers and servants of the Trust as they may think fit on such salary and/or salaries and upon such terms and conditions as they may consider proper for the purpose of the due and efficient working of the Trust.

(j) AUDITOR

The Auditor shall be appointed by the Trustees from such reputable firms in Kenya but no beneficiary or family member shall act as an auditor.

(k) ACCOUNTS

- i) The Accounts of the Trust shall be made up to the Thirty First day of December in every year and the Trustees shall cause to be prepared as soon as possible after such date a balance sheet and/or statement showing the

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11-07-25

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true position of the Trust up to the said date. Such accounts and balance sheet (which shall include a list of the investments of the Trust) shall be audited by the Auditor of the Trust who shall have access to all books, papers, records and accounts connected with the Trust and shall be entitled to such further information as he may require. The auditor of the Trust shall report in writing upon the result of his audit and a copy of such statement or balance sheet as audited and of his report shall be forwarded to the Trustees.

ii) The Trustees will have no power whatsoever to operate any additional accounts held in the name of the Trust for any reason whatsoever, other than with full consent of other Trustees unanimously.

iii) During the life of the Settlor, he shall be the sole signatory to all the accounts of the Trust provided that he may give a Power of Attorney to any one or more of the other Trustees.

iv) In the event of his death, Peter Mbutia Gachuhi and Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia shall operate all accounts of the Trust jointly.

- (l) In the event that any one of the Trustees or Signatories dies or is incapable of carrying out his duties due to medical problems or dismissal then the remaining Trustees, may be bound to appoint in his/her place one person provided such person is related by blood to the Settlor and forms part of his immediate family that is to say his children, grandchildren, great grandchildren, great great grandchildren etc and provided that such persons is not their mother, or wife or husband as the case may be. Such appointment shall be by a unanimous resolution of the remaining Trustees.
- (m) A Trustee is at liberty to resign his position should he/she wish to do so provided that he/she gives a two-month written notice to do so to the Settlor or the Chairman for the time being of the Trust. A Trustee may be removed from the office should he /she fail to attend the Trustee's meeting for 4 (four) consecutive meetings without a justifiable reason, in the opinion of the other Trustees.

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

7  
11-07-25

J.B.H.

7. INDEMNITY

In the exercise of the powers vested in them by these presents the Trustees shall have an absolute and uncontrolled discretion and shall be indemnified by the Trust on account of all costs charges and expenses incurred by them in the execution of the same. No Trustee shall be liable for any loss whatsoever except as a result of his or her own fraud or dishonesty or breach of trust.

8. RENUMERATION

The Trustees shall be entitled to a sitting allowance of Kshs kshs. 50,000./= per sitting plus a travelling allowance of not more than Kshs 10,000 per sitting and allowances should not exceed 90,000 per quarter this will be increased by not more than 10% every 2 years. The Trustees shall not be entitled to any other remuneration from the Trust.

9. RULES

The Trustees may make rules from time to time for the betterment of carrying out the purposes and objects of the Trust and of these presents with power to alter and vary the same but so that any such rules shall in no way contravene, override, alter or overrule any of the constitutions as laid down in this Trust Deed or by any Deed affecting any modification or amendment thereto made in accordance with the provisions hereinafter contained.

10. POWERS TO INVEST

- i) Subject as hereinafter provided any moneys requiring investment hereunder may be invested in acquisition of any property wherever situated and whether producing income or not (including the purchase of immovable or movable property whatsoever or any interest therein) PROVIDED THAT investment may be made on fixed deposits at the bank and in Treasury bills.

11. SEAL

- (a) The Seal of the Trust shall be in the form of a circle encircled round a circumference with the words 'JBK FOUNDATION' and containing in the centre such motif as has been or shall be approved by the settlor.
- (b) Such a Seal shall be kept in the custody of the authorised person by the Trustees in such a manner as they shall prescribe and they shall prevent its use by any unauthorised person(s). Seal to be collected and returned from and to the person by

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

8  
11-07-25

A.B.N.

any two Trustees via minutes of the meeting duly signed by the Trustees one of whom must be the chairman.

- (c) Such seal shall be used and affixed to all deeds documents and other rewritings, which require the use of a seal, and shall be thereunto affixed in the presence of at least three Trustees

12. INCOME AND CAPITAL

The Trustees shall hold the capital and apply the income of the fund as follows:

- (a) 20% to be set aside for the purpose of educating children at all levels of education.
- (b) To purchase such or other properties or investments as authorised herein;
- (c) To pay all the statutory and other incidental dues including the allowances, professional fees, land rates, land rents, utility bills, insurance premiums, taxes and other levies due to government or local authorities.

13. ARBITRATION

Any dispute arising out of or in connection with this Trust shall be referred to one Arbitrator to be agreed upon by the Trustees. If they fail to reach an agreement within thirty days (30) after any party has first put forward the name of the proposed Arbitrator, then the dispute shall be referred to a single Arbitrator to be appointed by the chairman of the Chartered Institute of Arbitrators (Kenya Branch). The Arbitration Act 1995 or any other existing statutory modifications or re-enactment thereof shall apply to Arbitration hereunder.



This Agreement shall be governed by and construed in all respects in accordance with the Laws of Kenya, and each party hereby submits to the non-exclusive jurisdiction of the Kenya Courts.

IN WITNESS WHEREOF the Settlor and the Trustees have hereunto set their hands and seal the day and year first hereinbefore appearing.

SIGNED, SEALED AND DELIVERED by the said )  
JAMES BORO KARUGU (as the Settlor) )

*J.B. Karugu*

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

*P. M. Gachuhi*  
11-07-25

*J.B.K.*

in the presence

~~Speli~~  
)  
)  
)

SIGNED, SEALED AND DELIVERED by the said  
JAMES BORO KARUGU (qua Trustee)  
in the presenc of:

~~Speli~~  
)  
)  
)  
↑

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f.B. Karugu

SIGNED, SEALED AND DELIVERED by the said  
PETER MBUTHIA GACHUHI (Trustee)  
in the presence of:

~~Speli~~  
)  
)  
)  
↑

~~Speli~~  
↑

SIGNED, SEALED AND DELIVERED by the said  
ELIUD KARUGU GATAMBIA (Trustee)  
in the presence of:

~~Speli~~  
)  
)  
)  
↑

~~Speli~~



SIGNED, SEALED AND DELIVERED by the said  
REV JOSHUA MWAURA KIMANI (Trustee)  
in the presence of:

~~Speli~~  
)  
)  
)  
↑

~~Speli~~

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT  
PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25

A2  
f.B. Karugu

C2  
(1/1/17)

# NATIONAL POLICE SERVICE



## DIRECTORATE OF CRIMINAL INVESTIGATIONS

### Forensic Document Examiner's Advisory Report

Our Ref: CID/ORG/8/3/1/586-2025

ECCU

This is Exhibit marked DM-23  
 referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
 Sworn / Declared before me this 9th  
 day of Feb 20 26  
 at NAIROBI in the Republic of Kenya  
 Commissioner for Oaths



DCI Headquarters Kiambu Road, P.O. Box 30036-00100, Nairobi-Kenya.

C2  
(LXXV)

## NATIONAL POLICE SERVICE

Telegrams: "CRIMINAL" Nairobi  
Email: director@cid.go.ke  
Tel: 020343312, 0202603724.



MAZINGIRA HOUSE  
KIAMBUR ROAD  
P.O. Box 30036, NAIROBI.

### DIRECTORATE OF CRIMINAL INVESTIGATIONS

#### FORENSIC DOCUMENT EXAMINER'S ADVISORY REPORT

##### Case work diary

Ref : CID/ORG/8/3/1/586-2025  
Station : ECCU  
Cr. No./Inquiry No. : 45/2025  
Offence : As Per Memo Form.  
Request : As Per Memo Form.  
Date of examination : Friday, 15 August 2025  
Examiner : CI Benard Cheruiyot



##### Statement of Qualification

I wish to state that I am a qualified Forensic Document Examiner with over TEN years experience working on a full-time basis with the Directorate of Criminal Investigations- Forensic Document Examination Section.

I hold a Bachelor of Education Degree from Maseno University-Kenya and I have been trained as a Forensic Document Examiner at DCI Headquarters -Forensic Document Examination Laboratory, Regional Forensic Laboratory -Khartoum Sudan, INTERPOL and Gujarat Forensic Sciences University-India.

C2  
(LXXVI)

**Examinations and Findings**

I have examined the questioned exhibits alongside specimen, known handwriting and signatures as per memo form folio no. 586/2025 and noted the following: -

1. That the **last will and testament of James Boro Karugu** dated **2<sup>nd</sup> April 2014** is a copy with **evidence of digital manipulation** and therefore the **original will** should be availed for examination.
2. That the **settlement trust deed** dated **2<sup>nd</sup> April 2014** is a copy with **evidence of digital manipulation** and therefore the **original settlement trust deed** should be availed for examination.
3. That both documents highlighted above have been certified true copy, an indication that the original documents exist.

**NB: The Investigating officer should endeavour to resubmit original questioned documents alongside all the relevant samples for a conclusive forensic analysis.**

OC ECCU

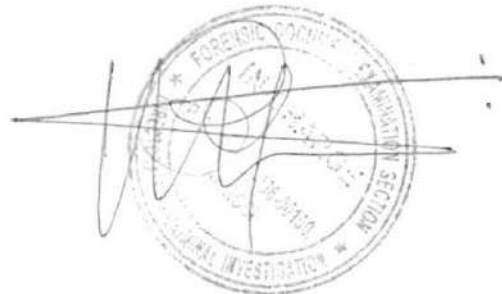
15/08/2025



**Benard Cheruiyot**

**Forensic Document Examiner**

**For: Director, Directorate of Criminal Investigations.**



DECLASSIFIED  
DIRECTORATE OF ANTI-CORRUPTION  
RECEIVED  
13 AUG 2025  
P.O. Box 30036 - 00100 NAIROBI  
FORENSIC EVIDENCE MANAGEMENT

C2  
(LXXVII)  
5/6/2025  
RECEIVED  
DCI HEADQUARTERS  
NAIROBI

**NATIONAL POLICE SERVICE**

**EXHIBIT MEMO**

Station: ECCU Division: IB Charge Register: INQUIRY NO. 45/2025.

13 AUG 2025  
FORENSIC DOCUMENT  
EXAMINATION SECTION

TO: OC  
FORENSIC DOCUMENT EXAMINATION,  
DCI HEADQUARTERS.

I forward herewith under escort of C.I. DUNCAN MAINA, exhibits enumerated below for favor of examination.

**Exhibits and identification markings: -**

- A-1. LAST WILL AND TESTAMENT OF JAMES BORO KARUGU *also known as* JAMES KARUGU, DATED 2<sup>ND</sup> APRIL 2014, WITH A TOTAL OF TWENTY-THREE SHEETS OF PAPER, BEING QUESTIONED DOCUMENT NO. 1.
- A-2. SETTLEMENT TRUST DEED ESTABLISHING THE JBK FOUNDATION, DATED 2<sup>ND</sup> APRIL 2014, WITH A TOTAL OF TWELVE SHEETS OF PAPERS, BEING QUESTIONED DOCUMENT NO. 2.
- B-1(a) KNOWN SIGNATURES OF THE LATE JAMES BORO KARUGU ENCLOSED IN BLUE INK, IN DOCUMENTS NUMBERED FROM (i) – (vi).
- B-1(b) KNOWN NAME INITIALS OF THE LATE JAMES BORO KARUGU ENCLOSED IN RED INK, IN DOCUMENTS NUMBERED FROM (i) – (ix)
- B-2. KNOWN SIGNATURE OF JANE WANGECHI KABIU.
- B-3. KNOWN SIGNATURE OF WILLIAM KIMANI RICHU.
- B-4. KNOWN SIGNATURE OF PETER MBUTHIA GACHUI.
- B-5. KNOWN SIGNATURE OF ELIUD KARUGU GATAMBIA.
- B-6. KNOWN SIGNATURE OF JOSHUA MWAURA KIMANI.
- C-1. SPECIMEN SIGNATURES OF JANE WANGECHI KABIU, IN (i) – (iii)
- C-2. SPECIMEN SIGNATURES OF WILLIAM KIMANI RICHU, IN (i) – (iii)
- C-3. SPECIMEN SIGNATURES OF PETER MBUTHIA GACHUI, IN (i) – (iii)
- C-4. SPECIMEN SIGNATURES OF ELIUD KARUGU GATAMBIA, IN (i) – (iii)
- C-5. SPECIMEN SIGNATURES OF JOSHUA MWAURA KIMANI, IN (i) – (iii)

**Precise of offence: -**

THE QUESTIONED DOCUMENTS ARE PRESENTED AS TESTAMENTARY DOCUMENTS FOR PURPOSE OF ADMINISTRATION AND DISTRIBUTION OF THE ESTATE OF THE LATE JAMES BORO KARUGU. VICTORIA NYAMBURA KARUGU, A BENEFICIARY OF THE ESTATE, DISPUTES THE AUTHENTICITY OF THE

C2  
(LXXVIII)

DOCUMENTS, ON THE BASIS OF SUSPECTED FALSIFICATION OF THE SIGNATURES AND INITIALS APPEARING THEREIN, AS FOR THE LATE JAMES BORO KARUGU. THE QUESTIONED DOCUMENTS MARKED A-1 AND A-2, ARE THUS SUSPECTED TO BE FALSE DOCUMENTS.

**It is thus desired to ascertain: -**

1. Whether the signatures **enclosed in Blue ink** in the questioned documents marked A-1 and A-2, when compared with known signatures also **enclosed in Blue ink** in exhibit marked B-1(a)(i - vi), were made by the same author.
2. Whether the name initials **enclosed in Red ink** in all the pages of the questioned documents marked A-1 and A-2, when compared with known name initials also **enclosed in Red ink** in exhibit marked B -1(b)(i-ix), were made by the same author.
3. Whether the signatures and handwriting in the questioned documents marked A-1 and A-2 **pointed by Red ink**, when compared with known signatures also **pointed by Red ink** in exhibit marked B-2 () and specimen signatures and handwriting in exhibit marked C-1(i- vii), were made by the same author.
4. Whether the signatures and handwriting in the questioned document marked A-1 **pointed by Black ink**, when compared with known signatures also **pointed by Black ink** in exhibit marked B-3 (i) – (iii) and specimen signatures and handwriting in exhibit marked C-2(i-iii), were made by the same author.
5. Whether the signatures **pointed by Blue ink** in the questioned document marked A-2, when compared with known signatures also **pointed by Blue ink** in exhibit marked B-4 and specimen signatures marked C-3(i-iii), were made by the same author.
6. Whether the signatures **pointed in Green** in the questioned document marked A-2, when compared with known signatures also **pointed in Green** in exhibit marked B-5 (i) – (ii) and specimen signatures marked C-4(i-iii), were made by the same author.
7. Whether the signatures **pointed in Yellow** in the questioned document marked A-2, when compared with known signatures also **pointed in Yellow** in exhibit marked B-6 (i) –(ii) and specimen signatures marked C-5(i-iii), were made by the same author.

Name of complainant: **VICTORIA WAMBURA KARUGU.**

Name of accused (if known): ..... PUI .....

Offence and Section: **FORGERY OF A WILL CONTRARY TO SECTION 350(1) OF THE PENAL CODE, AMONG OTHER OFFENCES**

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(LXIX)

Time, date and place committed: UNKNOWN TIME AND DATES, AT UNKNOWN PLACE WITHIN THE REPUBLIC OF KENYA.

Time, date and place exhibit(s) found and by whom: ON 10<sup>TH</sup> JULY 2025, BY C.I. DUNCAN MAINA AND DETECTIVE MOHAMED BASHORA.

Taken possession of by: C.I. DUNCAN MAINA.

Date: 07<sup>TH</sup> AUGUST 2025.

Signed: *[Signature]*

Exhibits enumerated above received. Signed ..... Date 13/8/25

Note – This form to be completed in triplicate; the three copies to accompany the exhibits, second copy to be returned as report, third copy to be returned as receipt.

NB:

**THE DOCUMENTS MARKED A-1 AND A-2, ARE COPIES SINCE THE ORIGINALS CANNOT BE SECURED AS THEY ARE IN CUSTODY OF ADVERSE PARTIES.**

RECEIVED  
13 AUG 2025  
DIRECTORATE OF CRIMINAL INVESTIGATION  
P.O. Box 30036-00100 NAIROBI  
FORENSIC EVIDENCE MANAGEMENT



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(XVIII)

A1

---

THE LAST WILL AND TESTAMENT

OF

JAMES BORO KARUGU also known as JAMES KARUGU

---



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

**PETER M. GACHUHI**  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111-00100  
Nairobi, Kenya

*[Signature]*  
11-07-25

*Red Ambr.*

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J.B.K.

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(XIX)

THIS IS THE LAST WILL AND TESTAMENT OF ME, JAMES BORO KARUGU also known as JAMES KARUGU of Post Office Box Number 6 - 00900, Kiambu, Kenya HEREBY REVOKING all former wills and testamentary disposition heretofore made by me.

1. I confirm that:
  - (i) I am an adult of sound mind and that I make this Will of my own free will; and
  - (ii) I am domiciled and resident in the Republic of Kenya.
2. I appoint Peter Gachuhi, Rev Joshua Mwaura Kimani and Eliud Karugu Gatambia be the Executors and Trustees of this my Will. In case any of them shall die or shall refuse or be unable to act in the office of Executor and Trustee of this my Will, then I appoint:
  - (i) Elizabeth Wanjiru Gathungu, to fill any vacancy in the office of Executor and Trustee hereof that may occur by reason of either of their death or refusal or inability to act as Executor and Trustee of this my Will. I declare that in the interpretation of this my Will the expression "my Trustees" shall (where the context permits) include the Executors and Trustees for the time being hereof whether original or substituted.
3. Subject to the payment of my just debts, funeral and testamentary expenses, death duties and the pecuniary legacies set out in clause 7 below and subject further to the provisions of clause 8 below, I DEVISE AND BEQUEATH:
  - (a) to my children with my late wife, Margaret Waithira Karugu, that is to say:
    - i. VICTORIA NYAMBURA KARUGU born 28<sup>TH</sup> MAY 1967;
    - ii. ROSE GATHIRA KARUGU born 12<sup>TH</sup> NOVEMBER 1971;
    - iii. ERIC MWAURA KARUGU born 21<sup>ST</sup> DECEMBER 1972; and
    - iv. BENJAMIN GITHARA KARUGU and 22<sup>ND</sup> JULY 1976;
    - 1) 5 % each of the shares held by me directly and indirectly in Centurion Holdings Limited equally *in stirpes* provided that the said children survive me for a period of twenty-eight (28) days.
    - 2) to each of them a 2 acre portion out of the twenty acre parcel known as Land Reference Number LR NO 86/4 KIAMARA on which my residence at Kiamara Estate stands; and,



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT  
PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25  
J.B.K.

C2  
(X)

9. I direct that my Trustees shall have and enjoy all the powers authorities and discretions conferred on Trustees or executors by any statutory enactment or otherwise.
10. I direct that my trustees do maintain the trust as JBK foundation.
11. I direct that my trustees do transfer all of my movable assets in the Remainder of the Estate to the Foundation and cause them to be registered in its name.
12. I direct that my son Eric Mwaura and two of my trustees, being Peter Gachuhi and Rev Joshua Mwaura Kimani operate all my bank accounts jointly and before any expenditure is made therefrom the two named trustees shall raise a budget which shall be approved by all my trustees .
13. I direct that all the monies held in all my bank accounts or any other monies that may be paid to the trust 20% thereof shall be directed towards education of children at all levels under the JBK foundation and the remaining 80% be utilized for investment and development, maintenance of the properties owned by JBK foundation as duly unanimously recommended by the Trustees.
14. I direct that my trustees do manage the JBK foundation in a sustainable and efficient manner and in so doing they shall not pass over this power to their spouses, children or mothers whether by power of attorney or in any manner whatsoever.
15. My trustees shall hold any personal effects and any other assets not specifically bequeathed for the benefit and general advancement of the beneficiaries. AND in addition thereto the Trustees shall have following powers authorities and discretions:
  - a. Power to invest the proceeds of the Residuary Estate available for investment in or upon such land, stocks, shares securities or other investments of whatsoever nature and kind and whosoever situate and whether involving liability or not or upon such personal credit with or without security as my Trustees shall think fit and with the like absolute power of varying such investments to the intent that my trustees shall have and enjoy full free and unfettered powers of investment;



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

7 PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25

J.B.H.

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(X+1)

- b. Power to insure against loss and damage howsoever arising in respect of any property for the time being comprised in my Residuary Estate to the full replacement value and to pay any premiums in respect thereof and at the Trustees absolute discretion to apply any monies from such insurance either towards making good the loss or damage in respect of which it was received or as if it were the proceeds of sale of the insured property; and
- c. Power prior to such of the Children as will be minors at the time of my death attaining the age of eighteen (18) years as aforesaid to advance such amount[s] as they shall in their discretion deem reasonably adequate from the income and capital of my Residuary Estate to the Guardians for the education maintenance or advancement in life or otherwise for the benefit of such child or children without being liable to see to the application thereof and the receipt of any Guardian shall be a sufficient discharge to my Trustees.

16 I declare that any Trustee of this my Will and of any Codicil that I may make hereto being an advocate or solicitor or other person engaged in any other profession or occupation may be so employed or act and shall be entitled to charge and be paid all proper and reasonable professional and other charges for any business or act done by him or his firm in proving this Will and any Codicil I make hereto and acting in the trusts thereof including acts which an Executor or Trustee could have done personally provided that such charges are agreed in advance between such professional Trustee and the other Trustees.

17 None of my Trustees shall be personally liable for any breach of trust whether by way of commission or omission done or suffered unless it shall be proved that at the time of his doing or suffering such breach or of his concurrence therein such act or default was done or suffered by him mala fide.

18. I desire that my body be buried at my Kiamara Estate next to my wife's grave

19. It is my desire that all the properties that I shall acquire after the date of this my will be transferred to JBK foundation unless otherwise provided.



THE SCHEDULE HEREINBEFORE REFERRED TO A

*[all moveable and immoveable assets, accounts, cash and near cash held in personal name] Company name*

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

8 PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

*P. 11-07-25*

*J.B.K.*

C2  
(XXII)

IN WITNESS whereof I have hereunto set my hand this 2<sup>nd</sup> day  
of April two thousand and 14

SIGNED by the said JAMES BORO KARUGU ]  
also known as JAMES KARUGU ]  
as his last Will in the presence of ]  
us both being present at the same ]  
time who at his request in his ]  
presence and in the presence of each ]  
other have hereunto subscribed our ]  
names as witnesses:

J. B. Karugu



WILLIAM KIMANI RICHU

[Signature]

JANE WANGECH KABU

[Signature]

CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111 - 00100  
Nairobi, Kenya

11-07-25

J.B.h.

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(XIII)

DATED THIS 24 DAY OF April 2014

JAMES BORO KARUGU  
(the Settlor)

and  
PETER MBUTHIA GACHUHI,  
ELIUD KARUGU GATAMBIA &  
REV JOSHUA MWAURA KIMANI.  
(the Original Trustees)

Settlement Trust Deed establishing the  
JBK FOUNDATION



CERTIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT

PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P.O. Box 40111-0010  
Nairobi, Kenya

1  
*[Signature]*  
11-07-25

*[Signature]*  
J.B.K.

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+  
KSH 200k

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This Deed establishing the Settlement Trust to be known as the JBK Foundation ('the Trust') is made the 2nd day of April two thousand 2014 between JAMES BORO KARUGU of P O BOX 6 - 00900 Kiambu in the Republic of Kenya (hereinafter referred to as 'the Settlor') of the one part, and PETER MBUTHIA GACHUHI of P.O Box 1110091, ELIUD KARUGU GATAMBIA of P.O BOX and JOSHUA MWAURA KIMANI of P.O BOX.113 NORTH KINANGOP in the said Republic as trustees for the time being of the Trust (hereinafter referred to as 'the Original Trustees'), of the other part.

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WHEREAS:

1. The Settlor wishes to make an irrevocable Settlement for the purpose of perpetuating the JBK name in the future and to ensure that the assets and incomes of the Settlor are well managed and maintained and his properties which are presently undeveloped will be developed to generate future income and that his immediate family will work together at all times for the Trust, and that if for whatever reason any disputes are to arise these must be resolved amicably it being his sincere and earnest wish that no contentious proceedings shall ever be entered into by the Trustees or other members of his immediate family and with that object in view shall forthwith transfer to the Trust the sum of Kenya Shillings Five Hundred Thousand only (Kshs 500,000.00) and may hereafter cause to be paid or transferred to the Trust further moneys investments or other property by way of addition to the Trust Fund hereby constituted.
2. It is intended that the Trust shall be irrevocable.
3. The Settlor shall pay a sum of Kenya shillings Five Hundred Thousand Only (Kshs 500,000.00, hereinafter 'the initial Fund') to the Trust.
4. It is the wish of the Settlor that the remainder of the Assets listed in the Schedule (A) annexed hereto be transferred to the Trust.
5. It is contemplated that further property or assets will be transferred or invested in the Trust by or at the instance of the Settlor and further that upon the death of the Settlor the Assets so specified in his Last Will and Testament shall be transferred to the Trust to be held upon trust hereof as an addition to the trust hereby constituted.

St. Mary's 478



AND

The Trust is not registered under the Companies Act or the Societies Act but the Trustees may if they deem it necessary procure its registration under the Trustees (Perpetual Succession) Act.

NOW THIS DEED WITNESSETH that in pursuance to the said wish the Original Trustees at the request and with the consent and concurrence of the Settlor WILL CONSTITUTE themselves under the name and style of the JBK FOUNDATION UPON Trusts and for and with the purposes and objects and with or subject to powers provisions terms and

J.B.K.  
DOCUMENT  
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\* FOREIGN \*  
OWNER

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(xv)

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in the presence

↓  
~~Speli~~

SIGNED, SEALED AND DELIVERED by the said  
JAMES BORO KARUGU (qua Trustee)  
in the presence of:

A2  
f.B. Karugu

~~Speli~~  
↑

SIGNED, SEALED AND DELIVERED by the said  
PETER MBUTHIA GACHUHI (Trustee)  
in the presence of:

↑

~~Speli~~  
↑

SIGNED, SEALED AND DELIVERED by the said  
ELIUD KARUGU GATAMBIA (Trustee)  
in the presence of:

↑

~~Speli~~

SIGNED, SEALED AND DELIVERED by the said  
REV JOSHUA MWAURA KIMANI (Trustee)  
in the presence of:

↑

VERIFIED TRUE COPY  
OF THE ORIGINAL DOCUMENT  
PETER M. GACHUHI  
ADVOCATE  
KAPLAN & STRATTON  
P. O. Box 40111-00100  
Nairobi, Kenya

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11-07-25

A2  
f.B. Karugu

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(XVI)

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B1(a)

**MATHARA HOLDINGS LTD /TIGONI TEA ESTATE**

19 AUGUST,2014

**RE: ONLINE SALARY TRANSFER FROM MATHARA HOLDINGS**

**A/C 01120063156600**

In regards to the above mentioned.

Below is a payroll for the Tigoni Estate workers as from the 1 st of August to 15 th, 2014.



NO.	NAME	A/C.NO.	BRANCH	AMOUNT. PAYABLE
	STEPHEN MUNGAI MBUGUA	01116371550000	KIAMBU	4,500
	SAMSON KARIUKI NYAGA	01116371550200	KIAMBU	4,500
	DANIEL MUNGAI KIARO	01116371550400	KIAMBU	4,500
	JOHN ENOI LAKWAN	01116371560200	KIAMBU	4,500
	JULIUS PKITE MLOMERKON	01116371552800	KIAMBU	4,500
	JOSEPH MWANGI MURAYA	01116541003200	LIMURU	4,500
	ANN MUTHONI NJEHIA	01116541003000	LIMURU	4,000
	EMILY MUTHONI KARANJA	01116371556500	KIAMBU	4,500
	JANE WANJIRU GATUNGU	01116371554900	KIAMBU	3,000
	LUCY WANJIRU MWAURA	01116541010500	KIAMBU	3,000
	JOSEPH CHAULO OKIOMA	01116371551300	KIAMBU	2,500
	JAMES ABALA OWANA	01116371555300	KIAMBU	4,000
	JOYCE NYAWIRA KATONGU	01116371550100	KIAMBU	2,500
	DORCAS WANGARI NDUNG'U	01116371550300	KIAMBU	9,000
	MARY WACHEKE NGUNO	01116541005500	LIMURU	5,000
	FAITH WANGARI KIMANI	01116371560900	KIAMBU	4,500
	GRACE WANJIKU MACHARIA	01116541004800	LIMURU	3,500
	MARY WACHEKE NGUGI	01116371550900	KIAMBU	3,500
	PENINAH WAMBUI WAMUHU	01116541009200	LIMURU	4,500
	FELISTA WANGARI NYOKABI	01116371551000	KIAMBU	4,000
	MARY WANJIKU MUIGAI	01116371559600	KIAMBU	4,500
	SIMON MUSAMALI AGALOMBA	01116371551500	KIAMBU	4,000
	SAMUEL MOMANYI OGECHI	01116541003100	LIMURU	12,000
	FRIDAH ONCHANGA INGOLO	01116371562100	KIAMBU	3,500
	DUKE KEANCHE NGARE	01116371562500	KIAMBU	7,000
	JOSPHAT ONKONGA GAKURE	01116541006600	LIMURU	6,500
	ROSE NYKABI GAKURE	01116541002900	LIMURU	5,500
	MARGARET LWILEE WEKESA	01116541006100	LIMURU	7,500
	ALICE WAFULA WEKESA	01116371550800	KIAMBU	11,000
	LUCY NJERI NJOGO	01116541005700	LIMURU	8,000
	JANE WANGARI KAMAU	01116371556400	KIAMBU	6,500
	ELIZABETH NJOKI WAWERU	01116371559100	KIAMBU	6,000
	TERESIA WANJIRU GICHURU	01116541003800	LIMURU	4,000
	SAMMY MURISYA MUTUKU	01116371558200	KIAMBU	2,500
	JOHNSON MWANGI NJOROGE	01116541002800	LIMURU	4,000
	SIMON OLE SIPARO	01116541002000	LIMURU	4,500

(1)  
C2  
(XVII)

STANSILAUS VONVOBIC OBUYA	01116541752000	LIMURU	3,500
THOMAS OGAMBA ONYIENGO	01116541754100	LIMURU	1,000
RICHARD MOKUA ONKUNDI	01116541751500	LIMURU	3,000
ANTONY GATHA WAMBUI	01116541607100	LIMURU	3,000
OMWERI RATUMO BENARO	01116541749400	LIMURU	6,000
CHRISTINE NAFULA NDEKENI	01116541741300	LIMURU	3,000
AMOS MULEKA VENGE	01116541755200	LIMURU	3,000
ESTHER WANJIKU NDUNGU	01116541755300	LIMURU	2,500

847,859

Prepared by

James w.macharia  
Asst .Accountant

Checked by,

Mary kogi  
Accountant

AUTHORIZED BY

JAMES B. KARUGU  
MANAGING DIRECTOR

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C2  
(XVIII)



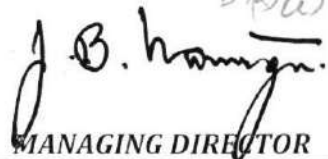
**MATHARA HOLDINGS LIMITED**  
**KIAMARA ESTATE CASUAL WAGES FOR PERIOD 8TH AUGUST TO**  
**16TH AUGUST 2014 PAID THROUGH COOPERATIVE BANK ONLINE TRANSFER**  
**DATE: 21ST AUGUST 2014**

	NAME	ACCOUNT	CURRENT	
	MARTIIN SIMIYU	01116371002900	2,350.00	
	MARGRET WANJIKU	01116371534000	1,410.00	
	IRENE NJERI	0260194500702	1,055.00	
	JOHN MBITHI	01116371915900	3,100.00	
	TABETH NABAJA	01116371539900	2,585.00	
	KENNEDY WEKESA	01116475729000	1,520.00	
	AGNES ASAMI	01116370324600	1,410.00	
	CAROLINE WAMBUI	01116371958300	2,425.00	
	MASHACK MAKOYA	01116371010800	1,230.00	
	FELISTER NJERI	01116371533600	1,410.00	
	JOSPHAT NJAU	01116371844900	2,470.00	
	BONIFACE NGIMEI	01116371755800	3,080.00	
	EUNICE NJERI	01116371541700	2,760.00	
	LYDIA WAIRIMU	0640197983779	2,115.00	kiambu
	AGNES MUTINDI	01116371539000	2,820.00	
	HANNAH WAIRIMU	01116371537300	1,410.00	
	VERONICAH WANJIRU	01116371536000	2,820.00	
	Stephen Lekeremui	01116371440200	3,290.00	
	ANNE NYAKERU THUO	01116371958200	2,760.00	
	JOHN NABAYA	01116371539500	3,090.00	
	MICHAEL THUKU	01116371536800	2,325.00	
	CHARLES MURIUKI	01116371013700	3,290.00	
	SERAH SYOKAU	01116371530100	2,820.00	
	MARY WANJIRU KURIA	01116371541000	2,585.00	
	WINNE WAMBUI	01116371574900	2,350.00	
	RACHAEL WAIRIMU NYOTA	01116371538300	2,585.00	
	MARY WAMBUI WANJIRU	01116371718800	1,840.00	
	MARY WAMAITHA	01116371005000	2,820.00	
	JANE KHATETE	01116371538500	2,350.00	

JOHN NJAU K.	01116371989700	1,155.00
DAVID NG'UNDA	01116371002300	1,175.00
JOEL LEMAYIAN	01116371483700	1,410.00
Santonina Gacunku	01116371481200	2,350.00
BIDAN KARIUKI	01116371404900	2,310.00
JOSEPH MURIMI	01116371559800	2,115.00
<b>TOTAL</b>		<b>366,628.00</b>

(10)

C2  
(XIX)

<i>PREPARED BY;</i>	<i>CONFIRMED BY;</i>	<i>APPROVED BY;</i>
JOHN N. NG'ANG'A 	MARY KOGI 	JAMES B. KARUGU B.K.W.  2/1
ACC'S ASSISTANT	ACCOUNTANT	MANAGING DIRECTOR



MATHARA HOLDINGS LIMITED  
KIAMARA ESTATE CASUAL WAGES  
17 TO 31 AUGUST 2014  
COOPERATIVE BANK ONLINE TRANSFER

C2  
(+)

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DATE: 03/9/2014

NO	NAME	ACCOUNT	AMOUNT
1	MARGRET WANJIKU	01116371534000	2,820.00
2	JOHN MBITHI	01116371915900	3,385.00
3	TABETH NABAJA	01116371539900	2,780.00
4	KENNEDY WEKESA	01116475729000	860.00
5	AGNES ASAMI	01116370324600	2,585.00
6	CAROLINE WAMBUI	01116371958300	1,390.00
7	MASHACK MAKOYA	01116371010800	2,335.00
8	FELISTER NJERI	01116371533600	1,410.00
9	JOSPHAT NJAU	01116371844900	2,475.00
10	BONIFACE NGIMEI	01116371755800	3,525.00
11	EUNICE NJERI	01116371541700	2,790.00
12	LYDIA WAIRIMU	0640197983779-kmb	940.00
13	AGNES MUTINDI	01116371539000	1,390.00
14	HANNAH WAIRIMU	01116371537300	2,585.00
15	VERONICAH WANJIRU	01116371536000	2,535.00
16	Stephen Lekeremui	01116371440200	3,425.00
17	ANNE NYAKERU THUO	01116371958200	195.00
18	JOHN NABAYA	01116371539500	3,295.00
19	MICHAEL THUKU	01116371536800	2,220.00
20	CHARLES MURIUKI	01116371013700	3,525.00
21	SERAH SYOKAU	01116371530100	2,820.00
22	MARY WANJIRU KURIA	01116371541000	2,820.00
23	WINNE WAMBUI	01116371574900	470.00
24	RACHAEL WAIRIMU NYOTA	01116371538300	2,820.00
25	MARY WAMBUI WANJIRU	01116371718800	2,800.00
26	MARY WAMAITHA	01116371005000	3,055.00
27	JANE KHATETE	01116371538500	2,780.00
28	HANNAH NJERI	01116371536900	2,330.00
29	HANNAH WANJIKU MUTHIA	01116371838900	2,710.00
30	CECILIA NYAMBURA	01116371951300	2,820.00
31	STANLEY KUBAI	01116371540700	3,525.00
32	KAMAU KINYAJUI	01116371534700	2,600.00
33	JANE WANJUGU	01116370717400	2,250.00
34	ALICE MUNIVIA	01116371537800	2,730.00
35	SUSAN MBULA	01116371539800	2,760.00



123	Santonina Gacunku	01116371481200	2,585.00
124	JOSEPH MURIMI	01116371559800	3,415.00
125	MARY NJOKI	01116371689300	2,585.00
126	DENIS KUPSANGUT	01116371529600	3,525.00
127	FRED MUMULA	01116371630600	3,505.00
128	MARGARET NUNGARI	01116371536700	470.00
129	DANIEL LESAGEEM	01116370611300	2,075.00
130	RONARD EMAMBIA	01116371564000	2,735.00
131	MARY WARINGA	01116371485100	3,055.00
132	LEITEN LETADANYA	01116371563900	2,115.00
133	LEGETU M.IRENGO	01116371563300	2,115.00
134	DOUGLAS MURIMI	01116371569600	1,175.00
135	PETER KERIMA	01116371531300	705.00
136	ROSE NAFULA	01116371938600	705.00
			<b>396,239.00</b>

(1a)

C2  
(+1)



PREPARED BY

JAMES MACHARIA  
ASST.ACCOUNTANT

CONFIRMED BY

MARY KOGI  
ACCOUNTANT

APPROVED BY

<sup>B1(a)M</sup>  
J.B. Karugu

JAMES .B KARUGU  
MANAGING DIRECTOR

(iv)

# MATHARA HOLDINGS LIMITED

P.O. Box 6, Tel: 0154-22297/22962/22282 KIAMBU

## CHEQUE REQUISITION VOUCHER

No. **1314**  
DATE: **19-2-99**

THRO: Co-operative BANK

CHEQUE NO. 000667

PAYEE DANIEL KIRIE WANNDAVE

AMOUNT IN WORDS: FIFTY FIVE THOUSAND TWO HUNDRED TWENTY SEVEN ONLY KSHS 55,227.00

BEING PAYMENT FOR STAFF CASH REIMBURSEMENT AS PER THE ATTACHED PET CASH VOUCHER NO 77615-77625

(Attach supporting documents)

# PAID

C2  
(xxii)

BANK BALANCE DETAILS	
Balance Available	Kshs. <u>1104403.10</u>

# MATHARA HOLDINGS LIMITED

P.O. BOX 6 - 00900 Kiambu, Tel: 020, 2011651, 2012023 - Fax: 020 2089714  
Email: info@matharaholdings.com

## CHEQUE REQUISITION VOUCHER

NO. 9487

Date: 09/08/2023

FROM Co-Operative BANK

CHEQUE NO 003350

ISSUED BY MURUGUJI BIRU MURUGUJI

AMOUNTS IN WORDS Forty Eight Thousand Three Hundred

AMOUNT IN FIGURES 48,387.00 KSHS

REASON FOR PAYMENT Party Cash Foot Reimbursement

FROM VOUCHER NO 80374 TO 80386

(Attach supporting documents)

### BANK BALANCE DETAILS

Balance Available Kshs. 2,609,616.96

C2  
(XIII)

# MATHARA HOLDINGS LIMITED

P.O. BOX 6 - 00900 Kiambu, Tel: 020, 2011651, 2012023 - Fax: 020 2089714  
Email: info@matharaholdings.com

## CHEQUE REQUISITION VOUCHER

NO. 9735

Date: 01/03/2008

FROM: Co-Operative BANK

ACCOUNT NO: 003690

FOR: Hejima Auto Tyres

AMOUNT IN WORDS: Forty Two Thousands only

AMOUNT IN FIGURES: KSHS 42000.00

REASON FOR: Arts Tyres For Kiambu pack

BY: Kate Muz

(Attach supporting documents)

### BANK BALANCE DETAILS

Balance Available Kshs. 25,963,502.00

C2  
(XIV)

BEING KIAMARA ESTATE SALES RECEIPTS NO. 69229 TO 69231

835

(1)



KCB

B1(b)

Date: 21/07/2010

M 2317

CREDIT ADVISE  
CASH DEPOSIT



KCB KIAMBU

ACCOUNT AT KCB KIAMBU

A/C NO: 1101944366

ACCOUNT NAME: MATHARA HOLDINGS LIMITED

CA - Business/Insurance

We have credited your above account with

6,224.00 KES

Kenya Shillings SIX THOUSAND TWO HUNDRED AND TWENTY FOUR ONLY

CASH PAID IN BY: NAHASHON

Signature: *X. M. M.*

Transaction Number: J116202P160 at 15:33:11 On 21/07/2010

Thank you for banking with us. You were served by: AKINYI BOEY JUDETH

Form 090 (Revised 1/Rev/2008)

\*\*\* Advice not valid unless Transaction Number is shown \*\*\*

*Makoy*

C2  
(XIV)

BEING KIAMBURA ESTATE RECEIPT NO. 69232 TO 1236 / 5747 836



KCB

CREDIT ADVICE  
CASH DEPOSIT

Date: 23/07/2010

*M. N. N. 24/7*



KCB KIAMBUR  
Account AT KCB KIAMBUR

ACCOUNT DETAILS

A/C NO: 1101944366  
A/C REF: 023245689024  
MATHARA HOLDINGS LIMITED  
CA - Husiness/Isanzure

7,603.00 KES



We have credited your above account with

Kenya Shillings SEVEN THOUSAND SIX HUNDRED AND THREE ONLY

CASH PAID IN BY: NAHASHON GITAU

Signature: *[Signature]*

Transaction Number: TT1020420281 at 12:44:03 On 23/07/2010

Thank you for banking with us. You were served by: GATHOGA JANET NJUTA

FAP 0360 Beam Version 11 (Rev 2006) \*\*\* Advice not valid unless Transaction Number is shown \*\*\*

*T. Waker*

C2  
(XVII)

BEING SURCHARGE FROM SIMON MWANGI FOR MISSING STUCK OF (83)  
FIREWOOD IN KIAMBU GSTATE: RECEIPT NO. 5746. (11)



KCB

CREDIT ADVISE  
CASH DEPOSIT

Date: 23/07/2010

Account Details  
A/C NO: 1101944366  
A/C REF: 023245089024  
MATHARA HOLDINGS LIMITED  
CA - Business/Usanzure



KCB KIAMBU  
Account AT KCB KIAMBU

We have credited your above account with 3,000.00 KES

Kenya Shillings THREE THOUSAND ONLY

CASH PAID IN BY: NAHASHON GITAU  
Signature : .....

Transaction Number: TT102040PZ0D at 12:42:58 On 23/07/2010

Thank you for banking with us. You were served by: GATHOGA JANET NDUITA

FAP 0350 Beam Version 11 (Rev.2006) +++ Advice not valid unless transaction Number is shown +++

Mwaka

C2  
(XXVII)

(12) (866)



Date: 09/09/2010

*M. Villig*

CREDIT ADVISE  
CASH DEPOSIT

KENYA COMMERCIAL BANK LTD.  
TELLER  
19 SEP 2010  
USER 0005  
KIAMBU

KCB KIAMBU  
Account AT KCB KIAMBU

ACCOUNT DETAILS

A/C NO: 1101944366  
A/C REF: 023245689024  
MATHARA HOLDINGS LIMITED  
CA - Business/Isanzure

47,500.00 KES

We have credited your above account with

Kenya Shillings FORTY SEVEN THOUSAND FIVE HUNDRED ONLY

CASH PAID IN BY: NAHASHON

Signature: ... *Abel Githa*

Transaction Number: TT10252PHG0K at 16:22:07 On 09/09/2010

Thank you for banking with us. You were served by: GATHOGA JANET NDUITA

\*\*\* Advice not valid unless Transaction Number is shown \*\*\*

*Janet*

C2  
(XVIII)



**MARAMBA TEA FACTORY LTD**

GREEN LEAF DELIVERIES FOR THE MONTH OF JUNE 2014

ESTIMATE: 1,260,000 KGS

WEEKENDING 08/06/2014

A/C	OUTGROWER NAME	2/6/2014	3/6/2014	4/6/2014	5/6/2014	6/6/2014	7/6/2014	TOTAL
1	K. K. Promote	6805	7835	7095	3400	3480		28615
2	Mathara Holdings Ltd.	4460	3655	5650	9610	4595		27970
3	D. N. Gichuru	905	1225	935	1015	1130		5210
4	Margaret Njeri Mburu	0	2845	2105	2155	1580		8685
5	Nyara Tea Estate	0	0	0	0	0		0
6	Menengai Farmers Ltd.	0	8190	4430	6390	5110		24120
7	Riara Farm A/C	1175	445	390	870	380		3260
8	Paul G. Muthumbi	310	0	690	400	590		1990
9	Ladywood Farm	0	0	1415	1565	1040		4020
10	Amos K. Kinyanjui	470	0	465	480	435		1850
11	Johnson M. Mugo	1030	875	0	520	445		2870
12	Rukan Ltd	0	640	445	350	250		1685
13	Samuel M. Kahuko	665	685	640	0	0		1990
14	Samwel G. Mwaura	0	0	0	0	0		0
15	Rurigi Enterprises Ltd	0	3070	0	2675	2320		8065
16	Philiph G. Gathuru	0	1005	1100	685	0		2790
17	S. M. Kamau	0	220	500	590	565		1875
18	Monicah W. Kinuthia	0	470	515	475	770		2230
19	Ephantus M. Wachira	0	0	0	0	0		0
20	Togerene Project	0	315	370	295	0		980
21	Karibu Emporium	0	0	0	0	0		0
22	Efengee Farm Ltd.	0	775	770	0	0		1545
23	Kuria Greens	0	995	1400	0	1370		3765
24	James Njoro Kibutiri	325	0	0	0	0		325
25	Ernest N. Kiruku	0	0	735	1685	395		2815
26	Limuru Archdiocesan	0	2520	3750	2330	2310		10910
28	Samuel Gitonga	320	280	340	0	0		940
	<b>SUB TOTALS</b>	<b>16465</b>	<b>36045</b>	<b>33740</b>	<b>35490</b>	<b>26765</b>		<b>148505</b>
29	Grace Nyakio Gitau	0	0	600	610	680		1890
30	Jonathan Kingara	0	675	430	650	0		1755
32	Hannah W. Muturi	0	0	350	370	440		1160
34	Augustine M. Muchori	420	0	0	0	0		420
35	M. W. Thande & M. N. Thuo	0	735	305	150	55		1245
36	Francis G. Waciuma	425	280	370	420	0		1495
37	Peter Njonge	0	930	905	765	0		2600
46	Rosemary W. Njenga	0	0	0	0	505		505
48	Evanson N. Kahihu	0	0	260	0	0		260
50	Susan G. Kanuri	0	0	255	0	0		255
51	Margaret W. Githara	0	245	245	0	0		490
52	Mathew M. Mbachia	0	0	0	625	180		805
55	Virginia N. Chege	0	55	0	0	205		260
58	Moses K. Kangethe	0	665	555	0	0		1220
59	George Githiri Naichu	0	0	290	0	0		290
62	Lydia Wangechi Chege	0	0	630	0	0		630

Handwritten notes: "M. 7/6." and "C2/WJ XXX" in a circle.

Handwritten number: "829" in a circle.

C2  
(XXXI)

65	Mary Mukenyi Njunge	380	0	0	0	0	380
67	Elizabeth N. Kamau	0	180	0	0	220	400
68	Mary W. Karago	0	0	0	125	195	320
69	Joseph R. Kigundu	90	190	155	135	0	570
72	Rivaso Gatu	0	245	0	0	0	245
74	J: seph Mburu Gichimu	0	465	640	0	0	1105
75	James N. Gikonyo	500	305	295	0	0	1100
76	Margaret Kihara	0	90	0	0	0	90
78	Eliud K. Karanja	0	0	0	0	195	195
83	Mipe Holdings Ltd.	0	0	0	690	870	1560
85	Evans M. Muthemba	0	0	375	245	0	620
88	Lucy Wambui Kimani	0	0	0	0	200	200
94	Wambunjo Holdings	0	395	190	0	0	585
99	Josphat W. Macua	0	0	0	0	330	330
101	Susan Njoki Kamau	0	0	235	170	175	580
106	Simon Ngigi Kariuki	0	225	220	0	250	695
107	Gideon N. Kariuki	0	0	0	0	1060	1060
109	Benedictine Fathers	0	575	615	510	520	2220
110	Jane Ngirote Mungai	0	0	80	0	0	80
111	Peter Ruigu Kirugi	0	925	825	500	0	2250
112	Joyce Njeri Wandu	0	0	0	0	515	515
113	Marion Muthemba	0	440	0	0	0	440
114	Esther Kamau	0	0	0	305	0	305
115	W. J. Macharia Kamau	0	0	265	0	0	265
118	Mary W. Njiraini	570	0	0	0	480	1050
121	Mwangi James Njihia	0	1070	0	0	0	1070
122	Peter M. Mungai	0	0	0	145	0	145
127	Christopher K. Kariithi	0	0	0	420	575	995
130	Robert Kibi Ngugi	0	0	0	115	0	115
131	Alicedale Ltd	0	1415	1560	1090	835	4900
133	Stephen M. Chege	0	285	0	0	0	285
134	David Njoroge Thige	1330	1400	1320	1035	975	6060
136	Martin Kuria	0	500	595	0	0	1095
137	Janet Wangari Kimani	0	0	0	0	305	305
139	Bakam Gardens	0	0	0	710	0	710
142	Margaret Njeri Kimani	0	0	40	0	0	40
143	Cathrine W. Mwangi	0	0	655	405	0	1060
144	Saki Ltd	0	845	785	715	635	2980
145	P. M. Echaria	500	910	990	1035	685	4120
146	Beatrice W. Kamau	0	595	500	0	0	1095
148	Paul Ngigi Mungai	1040	0	0	0	0	1040
155	Julia & J. Kiruthu	0	165	0	0	0	165
156	John M. Wamwaki	0	85	0	0	0	85
157	Kimani Kanari	0	0	0	0	515	515
158	Joseph Kinyua Komu	0	0	165	0	0	165
162	Stephen Kanari	0	240	0	0	0	240
166	Maramba Tea Factory	0	0	0	5	10	15
170	Felina Wambui Njoroge	0	0	0	280	0	280
171	Nancy Njoki Githere	0	0	300	330	515	1145

(2)  
(XXXII)

172	Wairimu Kameru Kiago	0	535	130	0	0	665
174	George W. Ngugi	0	265	0	40	0	305
176	John Wando Kamau	0	1540	1110	1195	1335	5180
178	Karen Wambui Gicheru	0	475	0	0	0	475
179	Valentine Growers	0	9730	7295	10020	6255	33300
184	David G. Thande	0	0	300	350	320	970
185	Lucy Githiri	1025	1370	0	0	0	2395
189	Anfred Muthemba	0	0	0	0	285	285
195	Simon K. Gathunguri	0	245	120	0	0	365
203	Philomena Njeri	0	225	0	0	0	225
226	Isaac Mwhotori Mundati	0	1260	2015	1660	1450	6385
233	Margaret Njeri Gatu	0	135	0	0	0	135
238	Mary Wairimu Ndura	0	230	0	0	0	230
<b>SUB TOTALS</b>		<b>6280</b>	<b>31140</b>	<b>26970</b>	<b>25820</b>	<b>21770</b>	<b>0 111980</b>
<b>TOTALS</b>		<b>22745</b>	<b>67185</b>	<b>60710</b>	<b>61310</b>	<b>48535</b>	<b>0 260485</b>
<b>RUNNING TOTAL FOR THE MONTH</b>							<b>260485</b>

Shareholders %	72.4	53.7	55.6	57.9	55.1	0.0	57.0
Other growers %	27.6	46.3	44.4	42.1	44.9	0.0	43.0
<b>TOTAL %</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>0.0</b>	<b>100.0</b>

  
 I. Rono  
Factory Manager



MARAMBA TEA FACTORY LTD

GREEN LEAF DELIVERIES FOR THE MONTH OF JUNE 2014

ESTIMATE: 1,260,000 KGS

WEEKENDING 08/06/2014

A/C	OUTGROWER NAME	2/6/2014	3/6/2014	4/6/2014	5/6/2014	6/6/2014	7/6/2014	TOTAL
1	K. K. Promote	6805	7835	7095	3400	3480	2980	31595
2	Mathara Holdings Ltd.	4460	3655	5650	9610	4595	5010	32980
3	D. N. Gichuru	905	1225	935	1015	1130	1070	6280
4	Margaret Njeri Mburu	0	2845	2105	2155	1580	1615	10300
5	Nyara Tea Estate	0	0	0	0	0	0	0
6	Menengai Farmers Ltd.	0	8190	4430	6390	5110	5275	29395
7	Riara Farm A/C	1175	445	390	870	380	470	3730
8	Paul G. Muthumbi	310	0	690	400	590	285	2275
9	Ladywood Farm	0	0	1415	1565	1040	1155	5175
10	Amos K. Kinyanjui	470	0	465	480	435	535	2385
11	Johnson M. Mugo	1030	875	0	520	445	370	3240
12	Rukan Ltd	0	640	445	350	250	0	1685
13	Samuel M. Kahuko	665	685	640	0	0	0	1990
14	Samwel G. Mwaura	0	0	0	0	0	0	0
15	Rurigi Enterprises Ltd	0	3070	0	2675	2320	2070	10135
16	Philiph G. Gathuru	0	1005	1100	685	0	420	3210
17	S. M. Kamau	0	220	500	590	565	745	2620
18	Monicah W. Kinuthia	0	470	515	475	770	0	2230
19	Ephantus M. Wachira	0	0	0	0	0	0	0
20	Togerene Project	0	315	370	295	0	350	1330
21	Karibu Emporium	0	0	0	0	0	0	0
22	Efengee Farm Ltd.	0	775	770	0	0	0	1545
23	Kuria Greens	0	995	1400	0	1370	1220	4985
24	James Njoro Kibutiri	325	0	0	0	0	0	325
25	Ernest N. Kiruku	0	0	735	1685	395	515	3330
26	Limuru Archdiocesan	0	2520	3750	2330	2310	1825	12735
28	Samuel Gitonga	320	280	340	0	0	0	940
	<b>SUB TOTALS</b>	<b>16465</b>	<b>36045</b>	<b>33740</b>	<b>35490</b>	<b>26765</b>	<b>25910</b>	<b>174415</b>
29	Grace Nyakio Gitau	0	0	600	610	680	665	2555
30	Jonathan Kingara	0	675	430	650	0	420	2175
32	Hannah W. Muturi	0	0	350	370	440	0	1160
34	Augustine M. Muchori	420	0	0	0	0	0	420
35	M. W. Thande & M. N. Thuo	0	735	305	150	55	0	1245
36	Francis G. Waciuma	425	280	370	420	0	0	1495
37	Peter Njonge	0	930	905	765	0	0	2600
46	Rosemary W. Njenga	0	0	0	0	505	0	505
48	Evanson N. Kahihu	0	0	260	0	0	0	260
50	Susan G. Kanuri	0	0	255	0	0	0	255
51	Margaret W. Githara	0	245	245	0	0	0	490
52	Mathew M. Mbachia	0	0	0	625	180	0	805
55	Virginia N. Chege	0	55	0	0	205	55	315
58	Moses K. Kangethe	0	665	555	0	0	0	1220
59	George Githiri Naichu	0	0	290	0	0	0	290
62	Lydia Wangechi Chege	0	0	630	0	0	0	630

CR (11)  
(xxx iii)

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9/6.


C2  
(XXXIV)

65	Mary Mukenyi Njunge	380	0	0	0	0	0	380
67	Elizabeth N. Kamau	0	180	0	0	220	0	400
68	Mary W. Karago	0	0	0	125	195	0	320
69	Joseph R. Kigundu	90	190	155	135	0	160	730
72	Rivaso Gatu	0	245	0	0	0	0	245
74	Joseph Mburu Gichimu	0	465	640	0	0	0	1105
75	James N. Gikonyo	500	305	295	0	0	0	1100
76	Margaret Kihara	0	90	0	0	0	0	90
78	Eliud K. Karanja	0	0	0	0	195	0	195
83	Mipe Holdings Ltd.	0	0	0	690	870	0	1560
85	Evans M. Muthemba	0	0	375	245	0	0	620
88	Lucy Wambui Kimani	0	0	0	0	200	0	200
91	James G. Ng'ang'a	0	0	0	0	0	570	570
94	Wambunjo Holdings	0	395	190	0	0	0	585
99	Josphat W. Macua	0	0	0	0	330	0	330
101	Susan Njoki Kamau	0	0	235	170	175	0	580
103	Lydia Njeri Kamau	0	0	0	0	0	670	670
106	Simon Ngigi Kariuki	0	225	220	0	250	235	930
107	Gideon N. Kariuki	0	0	0	0	1060	0	1060
109	Benedictine Fathers	0	575	615	510	520	0	2220
110	Jane Ngirote Mungai	0	0	80	0	0	0	80
111	Peter Ruigu Kirugi	0	925	825	500	0	500	2750
112	Joyce Njeri Wandu	0	0	0	0	515	0	515
113	Marion Muthemba	0	440	0	0	0	0	440
114	Esther Kamau	0	0	0	305	0	0	305
115	W. J. Macharia Kamau	0	0	265	0	0	0	265
118	Mary W. Njiraini	570	0	0	0	480	0	1050
121	Mwangi James Njihia	0	1070	0	0	0	0	1070
122	Peter M. Mungai	0	0	0	145	0	0	145
127	Christopher K. Kariithi	0	0	0	420	575	160	1155
128	Josephine K. Gichuhi	0	0	0	0	0	500	500
130	Robert Kibi Ngugi	0	0	0	115	0	0	115
131	Alicedale Ltd	0	1415	1560	1090	835	615	5515
132	J. M. Njoroge	0	0	0	0	0	215	215
133	Stephen M. Chege	0	285	0	0	0	0	285
134	David Njoroge Thige	1330	1400	1320	1035	975	945	7005
136	Martin Kuria	0	500	595	0	0	0	1095
137	Janet Wangari Kimani	0	0	0	0	305	0	305
139	Bakam Gardens	0	0	0	710	0	0	710
142	Margaret Njeri Kimani	0	0	40	0	0	25	65
143	Cathrine W. Mwangi	0	0	655	405	0	0	1060
144	Saki Ltd	0	845	785	715	635	0	2980
145	P. M. Echaria	500	910	990	1035	685	0	4120
146	Beatrice W. Kamau	0	595	500	0	0	0	1095
148	Paul Ngigi Mungai	1040	0	0	0	0	0	1040
155	Julia & J. Kiruthu	0	165	0	0	0	0	165
156	John M. Wamwaki	0	85	0	0	0	0	85
157	Kimani Kanari	0	0	0	0	515	0	515
158	Joseph Kinyua Komu	0	0	165	0	0	0	165

C2  
(XXXX)

162	Stephen Kanari	0	240	0	0	0	0	240
166	Maramba Tea Factory	0	0	0	5	10	15	30
170	Felina Wambui Njoroge	0	0	0	280	0	215	495
171	Nancy Njoki Githere	0	0	300	330	515	0	1145
172	Wairimu Kameru Kiago	0	535	130	0	0	0	665
173	Simon Warari Chege	0	0	0	0	0	185	185
174	George W. Ngugi	0	265	0	40	0	0	305
176	John Wando Kamau	0	1540	1110	1195	1335	1185	6365
178	Karen Wambui Gicheru	0	475	0	0	0	0	475
179	Valentine Growers	0	9730	7295	10020	6255	7475	40775
184	David G. Thande	0	0	300	350	320	365	1335
185	Lucy Githiri	1025	1370	0	0	0	0	2395
189	Anfred Muthemba	0	0	0	0	285	0	285
195	Simon K. Gathunguri	0	245	120	0	0	0	365
203	Philomena Njeri	0	225	0	0	0	0	225
226	Isaac Mwhotori Mundati	0	1260	2015	1660	1450	1785	8170
233	Margaret Njeri Gatu	0	135	0	0	0	0	135
238	Mary Wairimu Ndura	0	230	0	0	0	0	230
251	Esther Nyokabi	0	0	0	0	0	1290	1290
	<b>SUB TOTALS</b>	<b>6280</b>	<b>31140</b>	<b>26970</b>	<b>25820</b>	<b>21770</b>	<b>18250</b>	<b>130230</b>
	<b>TOTALS</b>	<b>22745</b>	<b>67185</b>	<b>60710</b>	<b>61310</b>	<b>48535</b>	<b>44160</b>	<b>304645</b>
<b>RUNNING TOTAL FOR THE MONTH</b>								<b>304645</b>

Shareholders %	72.4	53.7	55.6	57.9	55.1	58.7	57.3
Other growers %	27.6	46.3	44.4	42.1	44.9	41.3	42.7
<b>TOTAL %</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

  
 I. RONO  
 Factory Manager



MARAMBA TEA FACTORY LTD

GREEN LEAF DELIVERIES FOR THE MONTH OF JUNE 2014

ESTIMATE: 1,260,000 KGS

WEEKENDING 15/06/2014

A/C	OUTGROWER NAME	9/6/2014	10/6/2014	11/6/2014	12/6/2014	13/6/2014	14/6/2014	TOTAL
1	K. K. Promote	5290						5290
2	Mathara Holdings Ltd.	7590						7590
3	D. N. Gichuru	1060						1060
4	Margaret Njeri Mburu	1370						1370
5	Nyara Tea Estate	1735						1735
6	Menengai Farmers Ltd.	8875						8875
7	Riara Farm A/C	480						480
8	Paul G. Muthumbi	465						465
9	Ladywood Farm	1765						1765
10	Amos K. Kinyanjui	605						605
11	Johnson M. Mugo	485						485
12	Rukan Ltd	0						0
13	Samuel M. Kahuko	625						625
14	Samwel G. Mwaura	1125						1125
15	Rurigi Enterprises Ltd	2295						2295
16	Philiph G. Gathuru	700						700
17	S. M. Kamau	0						0
18	Monicah W. Kinuthia	0						0
19	Ephantus M. Wachira	0						0
20	Togerene Project	295						295
21	Karibu Emporium	650						650
22	Efengee Farm Ltd.	0						0
23	Kuria Greens	1295						1295
24	James Njoro Kibutiri	0						0
25	Ernest N. Kiruku	405						405
26	Limuru Archdiocesan	3545						3545
28	Samuel Gitonga	160						160
	<b>SUB TOTALS</b>	<b>40815</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40815</b>
29	Grace Nyakio Gitau	715						715
31	James M. Waithaka	535						535
35	M. W. Thande & M. N. Thuo	225						225
36	Francis G. Waciuma	390						390
37	Peter Njonge	900						900
42	Rosalind Njeri	1240						1240
44	John Njoroge Muthemba	195						195
55	Virginia N. Chege	55						55
56	Joseph M. Kamau	365						365
57	Sabina W. Kuguru	205						205
63	Jane Wanjiru Gatu	255						255
77	David Njuguna Ngugi	430						430
81	P. Ndungu & B. Runo	80						80
83	Mipe Holdings Ltd.	960						960
85	Evans M. Muthemba	185						185
92	John G. Kihu	210						210

Handwritten notes: "pm.", "15/6", "C2 (XXVI) (VIII)", and a circled "831".

C2  
(XXXVII)

95	Peter Njogu Chege	325					325
97	Stonebrook Devp	600					600
100	James N. Wangai	180					180
102	Alex Gichuhi & Damaris K.	40					40
106	Simon Ngigi Kariuki	220					220
109	Benedictine Fathers	445					445
111	Peter Ruigu Kirugi	725					725
116	Vick Adisa Gatu	110					110
131	Alicedale Ltd	810					810
134	David Njoroge Thige	970					970
143	Cathrine W. Mwangi	655					655
145	P. M. Echaria	1210					1210
154	Patrick P. N. Kamau	105					105
159	Phyllis Wandia Icharia	280					280
166	Maramba Tea Factory	10					10
170	Felina Wambui Njoroge	270					270
176	John Wando Kamau	1410					1410
177	Peter Kago Njoroge	365					365
178	Karen Wambui Gicheru	460					460
179	Valentine Growers	4735					4735
182	Njoroge Bedan Kamau	125					125
207	Samuel M. Kimani	245					245
226	Isaac Mwhotori Mundati	1300					1300
	<b>SUB TOTALS</b>	<b>22540</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>22540</b>
	<b>TOTALS</b>	<b>63355</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>63355</b>
	<b>RUNNING TOTAL FOR THE MONTH</b>						<b>368000</b>

Shareholders %	64.4	0.0	0.0	0.0	0.0	0.0	64.4
Other growers %	35.6	0.0	0.0	0.0	0.0	0.0	35.6
<b>TOTAL %</b>	<b>100.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>100.0</b>

  
 I. Rono  
Factory Manager

15/6/14

MARAMBA TEA FACTORY LTD

GREEN LEAF DEWERIES FOR THE MONTH OF AUGUST 2010

ESTIMATE:- 930,000 KGS

WEEKENDING 22/08/2010

A/C	OUTGROWER NAME	16/8/2010	17/8/2010	18/8/2010	19/8/2010	20/8/2010	21/8/2010	TOTAL
1	K. K. Promote	4405	2685	3810				10900
2	Mathara Holdings Ltd.	3335	4330	4820				12485
3	D. N. Gichuru	710	685	650				2045
4	Margaret Njeri Mburu	1525	1170	1380				4075
5	Nyara Tea Estate	860	0	0				860
6	Menengai Farmers Ltd.	4770	3090	2775				10635
7	Riara Farm A/C	495	670	890				2055
8	Paul G. Muthumbi	355	280	200				835
9	Ladywood Farm	1045	865	1120				3030
10	Amos K. Kinyanjui	945	0	0				945
11	Johnson M. Mugo	0	695	580				1275
12	Rukan Ltd	225	225	260				710
13	Samuel M. Kahuko	355	325	270				950
14	Samuel G. Mwaura	1215	0	0				1215
15	Rurigi Enterprises Ltd	1185	890	895				2970
16	Philiph G. Gathuru	495	580	495				1570
17	S. M. Kamau	0	0	0				0
18	Monicah W. Kinuthia	0	0	0				0
19	Ephantus M. Wachira	1065	1085	1190				3340
20	Togerene Project	980	160	170				1310
21	Kanbu Emporium	0	0	0				0
22	Efengee Farm Ltd.	0	0	0				0
23	Kuria Greens	950	755	885				2590
24	James Njoro Kibutiri	0	0	0				0
25	Ernest N. Kiruku	1100	915	0				2015
26	Limuru Archdiocesan	1385	0	1050				2435
27	Titus Kiondo Muya	0	0	0				0
28	Samuel Gitonga	0	0	0				0
	<b>SUB TOTALS</b>	<b>27400</b>	<b>19405</b>	<b>21440</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>68245</b>
29	Grace Nyakio Gitau	395	465	415				1275
30	Jonathan Kingara	660	675	0				1335
35	Bernice G. Njenga	0	235	0				235
36	Francis G. Waciuma	240	185	135				560
37	Peter Njonge	570	0	0				570
40	Gattoni Park Farm	545	605	605				1755
41	Grace W. Njoroge	0	0	130				130
42	Rosalind Njeri	300	450	305				1055
44	John N. Muthemba	0	0	95				95
45	David Gitere Wakangu	335	300	0				635
47	William K. Njoroge	0	0	10				10
48	Evanson N. Kahihu	0	0	215				215
51	Margaret W. Githara	0	255	0				255
53	Ann Ngendo Wairhaka	580	340	0				920
55	Virginia N. Chege	45	0	180				225
56	Joseph M. Kamau	220	155	0				375
58	Moses K. Kangethe	0	0	220				220
60	John Kahura	0	45	0				45
63	Jane Wanjiru Gatu	110	110	0				220
68	Mary W. Karago	0	155	0				155
69	Joseph R. Kigundu	0	45	0				45
71	Sabina N. Kanyanjua	0	0	140				140
75	James N. Gikonyo	205	160	140				505
77	David Njuguna Ngugi	0	255	0				255
79	Wairi K. Kariuki	275	0	0				275
80	Margaret W. Kimani	0	0	175				175
85	Evans M. Muthemba	0	510	60				570
90	Joyce N. Ngugi	0	825	0				825
91	James G. Ng'ang'a	0	0	185				185
98	Gregory Kanyanjua	0	0	60				60
102	Harrison Gatu	100	70	0				170

19/8

621

(1x)  
C2  
(xxxviii)

Statement form



C2  
(XXXIV) B2

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
Police case .....2020

**STATEMENT UNDER INQUIRY OF JANE WANGECHI KABIU OF IDENTITY CARD**  
**NUMBER 9949675.**

DATE: 10<sup>th</sup> July, 2025  
TIME: 1500HRS  
PLACE: ECCU, IB, DCI HEADQUARTERS.

I, INSPECTOR DUNCAN MAINA, a Police Officer attached to the Economic and Commercial Crimes Unit, Investigation Bureau of the Directorate of Criminal Investigations (DCI Headquarters), I am investigating cases which involves:-

**1. Forgery of a will contrary to Section 350(1) of the Penal Code.**

I have reasons to believe that you JANE WANGECHI KABIU alias JANE KABIU GITAU is connected with this offence(s) or if not, then you have useful information which can assist me in my investigations.

Do you wish to say anything in answer to the allegations? I caution you that you are not obliged to say anything unless you wish to do so but whatever you will say will be taken down in writing and may be used as evidence.

.....  
**R.O.C**

.....  
**JANE WANGECHI KABIU** ↑

Having understood the nature of the allegations and the caution administered, the suspects elects to state as follows:-

.....  
**R.O.C**

.....  
**JANE WANGECHI KABIU** ↑

Statement form



C2  
(xxx V)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
Police case .....2020

ID NO:9949675  
JANE WANGECHI KABIU  
P.O.BOX 70289-00400  
NAIROBI.  
TEL. 0722821707  
Email:optimumregistrars@gmail.com

**STATES AS FOLLOWS:**

I am a Kenyan female adult, a businesswoman within the Republic of Kenya. I am a Certified Public Secretary and currently, a partner of Optimum Registrars from the year 2008 to date. As a Certified Public Secretary my job includes but not limited to the following:-

- a. Attending to the Board of Directors meeting when required.
- b. Convening and attending clients' Annual General Meetings.
- c. Dealing with business registration services.

I also hold an LLB, from the London University, a qualification I only pursued for the purpose of securing an added advantage for Secretarial practice.

I do recall that in the year 2006 I was an employee of Savannah Associates and that time the late James Boro Karugu was the Chairman at Maramba Tea Factory, Limuru, where Savannah Associates were the company secretaries. I thus got to know the named James Boro Karugu and had several interactions with him in the course of my work.

C2  
(XXXVI)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020

I left Savannah Associates in 2007, and started my own business, Optimum Registrars. With his personal knowledge about my services, the late requested me in 2008 to offer services to his companies namely Mathara Holdings Limited, Kariama Enterprise Limited, Shatana Investments Limited, Nasico Limited, Avenue House Limited, Empire Consolidated Limited, Prime Plantations Limited, Malewa Streams And Services Limited And Centurion Holdings Limited whereby I accepted the offer.

In many of my visits to his office as his company secretary the late informed me that he wanted to restructure his companies and thus he wanted Centurion Holdings Limited to be the Holding company of all his assets and this was to make it easier since he wanted to prepare his Will.

In the years 2012 to 2013, the late James Boro Karugu informed me that an Advocate namely Manubhai Patel was preparing his Will. I cannot confirm though, that indeed, Manubhai completed the drafting of the Will. Because the late would from time to time, keep on consulting, presenting the draft Will for discussion before completion. Once the Will was finalized, the late James Boro Karugu came with the final document in my office where I read and re-read the Will to confirm everything was right. After that before he left he informed me that he will come back with witnesses and requested me to be a witness as well, for the execution.

On 2<sup>nd</sup> April 2014, the late came in my office which is situated in Nairobi, Westlands, Mpaka House, while holding a folder. We waited for William

R.O.  
[Handwritten signature]

[Handwritten signature] 10/7/25  
↑

C2  
(XXVII)

Statement form



**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020

Kimani Richu who arrived shortly. The late removed the Will and another document, a Trust Deed which was to establish JBK Foundation, from the folder. The late signed the execution page and initialized other pages J.B.K at the bottom. Thereafter he handed over the Will to me and William Kimani Richu to sign as witnesses. After that he placed the Will and the Trust Deed, inside the envelope and sealed it, and handed over the envelope to me for safe custody, with instructions that I avail it to the beneficiaries and executors upon his demise.

James Boro Karugu, died on 10<sup>th</sup> November 2022, and was buried on 19<sup>th</sup> November 2022.

Since I had interacted with the Will several times before execution and I knew the beneficiaries and executors, I wrote an email to the beneficiaries and executors through my email [optimumregistrars@gmail.com](mailto:optimumregistrars@gmail.com) and informed them on 22<sup>nd</sup> November 2022 that I had the possession of the late James Boro Karugu's Will and thus invited them to come over to Elysian Resort, Kiambu Road for the handover of the Will. The executors were Peter Mbuthia Gachuhi, Rev. Joshua Kimani Mwaura and Eliud Karugu Gatambia.

On 29<sup>th</sup> November 2022, we had a meeting at the aforementioned Resort, and after prayers all in attendance introduced ourselves and thereafter, I informed them that I had the Will of the late James Boro Kaguru, and the Trust Deed, which both were still in a sealed envelope. I handed the

16/11/25

Statement form



C2  
(XXVIII)

***DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI***

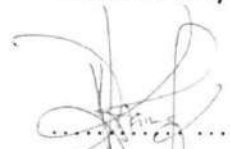
*Police case* .....2020  
envelope to Peter Mbutia Gachuhi. Peter opened the envelope and requested whether he can read word by word or he can make copies for each of us and we all agreed that he make copies. I proceeded downstairs accompanied by Eric Mwaura, one of the sons to the late and made copies which we shared to everyone. During the handing over all of us signed the attendance sheet. As custodian of the original Will my role ended when I handed over the Will to the executors and beneficiaries and thus I gave the original documents to Peter Mbutia Gachuhi.

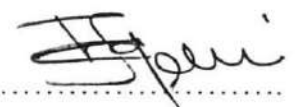
I wish to state that, the investigators shown me both the Will and Trust Deed and I confirmed that the signature in the Will was mine in the execution page.

That all i wish to state for now.

**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

  
.....  
R.O.C

  
.....  
JANE WANGECHI KABIU  
↑  
10/7/2025

QB3

C2  
(XIX)

STATEMENT OF INQUIRY OF WILLIAM KIMANI RICHU, OF KENYA  
NATIONAL IDENTITY CARD NO. 4826733

I **MOHAMED BASHORA**, a Detective Constable, attached to the Economic and Commercial Crimes Unit, Investigations Bureau, of the Directorate of Criminal Investigations, am investigating a case of;

1. **Forgery of a Will contrary to Section 350(1) of the Penal Code**, among other offences

have reasons to believe that you **WILLIAM KIMANI RICHU** are connected to this offence(s) or you have information that may assist me in my investigations.

Do you wish to say anything in answer to the allegations?

I caution you, that you are not obliged to say anything, unless you wish to do so, and if you so wish, whatever you say shall be recorded down and may be used as evidence.

.....  
M. Mohamed

ROC



.....  
William Kimani Richu

WILLIAM KIMANI RICHU



Having understood the nature of the allegations and the caution administered, the suspect elects to state as follows;

.....  
M. Mohamed

.....  
William Kimani Richu

ID NO. 4826733

WILLIAM KIMANI RICHU

P.O BOX 350 – 00100

NAIROBI.

M/NO. 0791484823

OTHER PARTICULARS

HOME COUNTY – KIAMBU

S/COUNTY – GITHUNGURI

CURRENT RESIDENCE – RUNDA, NAIROBI

STATES AS FOLLOWS

I am a male adult of the particulars above, and an Advocate of the High Court of Kenya trading in the name and style of Kimani Richu and Associates; I am the senior partner at this firm. I also do farming in Githunguri, doing Coffee, Macadamia and Avocado. It has well been explained to me by investigators from the DCI Headquarters, Economic and Commercial Crimes Unit, of an ongoing investigation into allegations of falsification of the Last Will and Testament of James Boro Karugu, in which matter, I do feature as a Witness to its execution. Being required to respond to the allegations thus, I wish to record my statement as follows;

I joined the State Law Office in July 1980; then I was fresh from the Kenya School of Law. I remember, Charles Njonjo was the Attorney General at the time, and James Boro Karugu was Deputy Public Prosecutor. I was directly

C2  
(XL)

(10)

In 2004, I also left service on my early retirement. I therefore, started private practice in 2005. Among first clients in my private practice, was one James Samuel Mburu, who just like myself, hails from Githunguri. I state, the named Samuel Mburu was close to James Boro Karugu, on reason that both were in the Tea farming and processing business, they were together at Maramba Tea factory. I did various assignments for Samuel Mburu.

Around 2008, Samuel Mburu introduced me to James Boro Karugu. It was easy for me to relate with him because of our common employment background at the Attorney General's Chambers. Equally, James Karugu was endeared by the same fact.

Soon thereafter, I started acting for James Boro Karugu; he retained my services for conveyance of his property, he was selling in Naivasha, through his Malewa Bay Limited. In this business, James Karugu was creating a gated community estate. From this first assignment, I ended up doing several other assignments for him, and even held his money in a current account at Chase bank. Whenever he needed my services, James Karugu would call me for the work through his Secretary, Janet.

Around 2012, I had no much of service to James Boro Karugu, thus a gap in my interactions with him was created. This went on for almost two years. And in 2014, through his other secretary called Brenda, James Boro Karugu called me for a meeting. I do very well remember, when I met him, James Boro Karugu asked me whether I could undertake a special assignment for him; he however did not disclose the assignment at that time. Nonetheless, considering our relationship, and the respects I had for him, I agreed to his request.

We developed a close relationship from this time, seeing him more often. Of course, he would call every time he wanted to see me. We would drive

C2  
(H1)

Now understanding the assignment and its weight, I bought a special pen for the purpose. I went to Jane's office as directed, where I was welcomed by Jane. James Boro Karugu joined us later; he was alone. He had a leather bag with him. He informed us of his driver, who he instructed to remain away from the venue.

I clearly remember, I saw James Boro Karugu produce documents from the leather bag he came in with. I identified the documents as his Will, and a Trust Deed. My business at this occasion, was to do with the Will, which I had the honour of being asked to witness to its execution. James Boro Karugu thus, put the Will on the table where the three of us; James Boro Karugu, Jane Kabiu and myself, sat. I did not read the contents of the Will, as the same is not a formal requirement for the validity of a Will. And relying on James Boro Karugu's words, directions and what appeared on the execution page, I appended my signature. Each of the three of us, signed in the same sitting.

From the document shown to me the investigators, I acknowledge the handwriting and signature appearing against my name, and do attest that the signatures appearing against the testator and Jane Kabiu, are made by them.

I saw James Karugu put the documents back into the bag, but not in an envelope. We then left for lunch outside, with the bag left behind. James Karugu and Jane went back to the office, while I left for my other businesses.

I state, I had no prior knowledge of Jane Kabiu before this particular meeting. I however had general knowledge that as at the time, Jane acted for James Boro Karugu as company Secretary.

I remember however I had another appointment to attend with Jane Kabiu

C2  
(XII)

C2  
(XLIII)

(u)

Shares to the new owners, James Boro Karugu; this was around November 2014.

I further state, James Karugu went ill thereafter and led a very secretive life, until his death in November 2022. I learnt of his death far much later. I was later, invited by Jane Kabiu for the opening and handover of the Will and Trust Deed, to the beneficiaries and executors, at Elysian hotel, along Kiambu road. I attended the meeting as invited and confirmed the validity of execution of the Will, as it appeared on the execution page.

I am therefore, firmly of the position that the signatures ad handwriting appearing on the execution page of the Last Will and Testament of James Boro Karugu, are genuine.

That's all I state for now.

cos  
*[Signature]*

*[Signature]*  
5/6/22  
B.T.F. 2025



C2  
(XLIV)

(M)

[THIS SPACE IS RESERVED FOR STAMPS]

*[Handwritten signatures]*  
  
D. K. KUMAR 118

THE NOMINAL CAPITAL of .....  
PARKWAY VALLEY ..... , LIMITED

is Sh. 10,000/- ..... divided into 500 ..... shares  
of Sh. 20/- ..... each.

Signature *[Handwritten Signature]*  
DIRECTOR

Description .....  


MINUTES OF DIRECTORS PARKWAY VALLEY LIMITED-C. 126588, HELD ON 3<sup>RD</sup> MARCH 2017 AT THE COMPANY'S REGISTERED OFFICES FROM 10.00AM PRESENT

1. JAMES MBUGUA MACHARIA
2. WILLIAM KIMANI RICHU
3. CATHERINE MWIHAKI KIMANI
4. WILLIAM KIMANI RICHU-CP5

AGENDA

1. Resignation of directors
2. Appointment of directors
3. Transfer of shares
4. Allotment of shares
5. A.O.R

The meeting started with a word of prayer by one of the director who introduced the agenda of the day.

MIN 01/3/2017: RESIGNATION OF DIRECTOR

That William Kimani Richu and Catherine Mwihaki Kimani resigned as directors and shareholders of this company.

MIN 02 /3/3/2017: APPOINTMENT OF DIRECTOR

That James Mbugua Macharia be appointed as a director and shareholder of this company.

MIN 03/3/2017: TRANSFER OF SHARES

That William Kimani Richu agreed to transfer his Ninety Nine (99) ordinary shares to James Mbugua Macharia

That Catherine Mwihaki Kimani agreed to transfer her One (1) ordinary share to James Mbugua Macharia

MIN 04/3/2017: ALLOTMENT OF SHARES

That James Mbugua Macharia be allotted

C2  
(XLV)

B5  
(1)



C2  
(XLVII)

**KENYA AGRICULTURAL & LIVESTOCK RESEARCH ORGANISATION  
NATIONAL SERICULTURE RESEARCH CENTRE  
P. O. Box 7816 – 01000 Kairo.Sericulture@kalro.org  
APPLICATION FOR ANNUAL LEAVE**

PERSONAL FILE: REF: \_\_\_\_\_

Application to be submitted at least **FOURTEEN DAYS** before the date on which the Officer wishes to proceed on leave.

If an Officer is proceeding on **FULL ANNUAL LEAVE** and requires his salary in advance he must give thirty days notice and include his request under paragraph (d) below.

Dr/Mr/Mrs/Miss Elud K. Gatumbi Personal No. 20557  
(OFFICER'S FULL NAME)

**To Head of Department**

(a) I submit herewith my application for 2 days leave of 2024  
Commencing from Date 3/10/2024 to 4/10/2024 inclusive date  
Job Group: K R 6 Date of appointment July 1985  
DIVISION/SECTION Research

I wish to claim and be paid my leave allowance of Shs. \_\_\_\_\_ during the month of \_\_\_\_\_ for the leave year \_\_\_\_\_

(b) How salary to be paid during leave \_\_\_\_\_

(c) My leave address: \_\_\_\_\_

Signature of Applicant: [Signature]

(d) Recommended by: Name Dr Lenah Muthiga Sign [Signature] Date 2/10/2024  
(Head of Division/Section)

Approved by: Name J. K. KERA Designation: CHRAO Sign [Signature] Date 2/10/24

Special instruction: Satisfactory arrangements can be made to carry out the Officer's duties for the period and a relief is/is not required for that period.

**(e) For Official Use**

Leave due for current year as at date 02/10/24 is 30 Days  
Leave carried forward from previous year 10 Days  
Total leave 40 Days  
Days Approved 2  
Leave forfeited — Days  
Balance carried forward 38 Days  
To report on duty on Date 7/10/24  
Leave computed by: PAULINE OLEGERA [Signature]  
(Name) (Signature)  
Entered in Computer Payroll/Section \_\_\_\_\_

\*Carrying forward more than 15 days must be approved by Director General.



C2  
(XLVII)

(W)

**KENYA AGRICULTURAL & LIVESTOCK RESEARCH ORGANISATION**  
**NATIONAL SERICULTURE RESEARCH CENTRE**  
P. O. Box 7816 - 01000 Kairo.Sericulture@kairo.org  
**APPLICATION FOR ANNUAL LEAVE**

PERSONAL FILE: REF: \_\_\_\_\_

Application to be submitted at least **FOURTEEN** DAYS before the date on which the Officer wishes to proceed on leave.

If an Officer is proceeding on **FULL ANNUAL LEAVE** and requires his salary in advance he must give thirty days notice and include his request under paragraph (d) below.

Dr/Mr/Mrs./Miss Elind K. Gatambiro Personal No. 20557  
(OFFICER'S FULL NAME)

**To Head of Department**

(a) I submit herewith my application for 9 days leave of 2024

Commencing from Date 22/10/24 to 01/11/2024 inclusive date

Job Group: K06 Date of appointment July 1985

DIVISION/SECTION Research

I wish to claim and be paid my leave allowance of Shs \_\_\_\_\_ during the month of \_\_\_\_\_ for the leave year \_\_\_\_\_

(b) How salary to be paid during leave \_\_\_\_\_

(c) My leave address: \_\_\_\_\_

Signature of Applicant: [Signature]

(d) Recommended by Name Dr Linah Mulyo Sign [Signature] Date 17/10/2024  
(Head of Division/Section)

Approved by Name Noel Malote Designation: CS Sign [Signature] Date 17/10/24

Special instruction: Satisfactory arrangements can be made to carry out the Officer's duties for the period and a relief is/is not required for that period.

**(e) For Official Use**

Leave due for current year as at date 17/10/24 is 30 Days

Leave carried forward from previous year 2 Days

Total leave 32 Days

Days Approved 9

Leave forfeited — Days

Balance carried forward 23 Days

To report on duty on Date 11/11/2024

Leave computed by: JACKLINE SENERA [Signature]  
(Name) (Signature)

Entered in Computer Payroll/Section \_\_\_\_\_

\*Carrying forward more than 15 days must be approved by Director General.

Bcf

YOUR REFERENCE:

OUR REFERENCE:

DATE:

DCI/IB/ECCU/Sec/4/4/Vol.LXVI/238 PMG/KA/324/5

11 July 2025

National Police Service  
Directorate of Criminal Investigations  
Mazingira House, Kiambu Road  
**NAIROBI**

C2  
(XLVIII)

**For the Attention of: Mr. A. Shuria, OGW**

Dear Sir,

**Re: ECCU Inquiry No. 45/2025  
Last Testament of James Boro Karugu (Deceased) for Forensic Examination**

We refer to your letter dated 11<sup>th</sup> July 2025. We enclose herewith certified copies of the Will and the Trust Deed for the JBK Foundation.

Do please acknowledge receipt on the duplicate copy of this letter.

Yours faithfully,

  
**KAPLAN & STRATTON**

Cc: Client



AGREEMENT FOR SALE

(2) (XIX) 36 10

AN AGREEMENT made on the 4<sup>th</sup> day of October Two thousand and ~~thirteen~~ <sup>FOURTEEN</sup> BETWEEN DANIEL HENRY GATHUA holder of Identity Card No. 0243805 of Post Office Box 52 North Kinangop in the Republic of Kenya, (hereinafter called the "vendor") on the one part, AND Joshua Mwaura Kimani - ID/11114275 of P.O Box 113 North Kinangop (hereinafter called the purchaser(s).



**WHEREAS it is agreed as follows:-**

1. The Vendor hereby agrees to sell PLOT No. NYANDARUA/TULAGA/2245 measuring 0.05 ha
2. The Purchase price of the property shall be at the rate of Kshs 260,000/- (SHS. TWO HUNDRED SIXTY THOUSAND)
3. Payment shall be as under:-
  - 1<sup>ST</sup> PAYMENT OF SHS. 120,000/- PAID ON 4.10.2014
  - 2<sup>ND</sup> PAYMENT
4. The sale and purchase is subject to there being no adverse report by a surveyor or any relevant government Ministry that property falls on public land. If at any one time such adverse report is made the sale transaction shall stand automatically voidable by the purchaser who shall be returned to the status quo as if this agreement was never entered into.
5. The vendor warrants that the property is not a buffer zone, road reserve or public land and his ownership is not subject to any challenges whatsoever and shall fully indemnify the purchaser as a result of breach of warranty.
6. For the avoidance of a doubt, the provision of clause No. 6 shall survive the completion of the sale and purchase of the property and shall subsist without limits in point in time.
7. The vendor shall point out the boundary beacons to the purchaser on or before the purchase completion date.
8. The vendor shall transfer the property to the purchaser(s) as soon as it is practicable upon full payment of the agreed sale amount.

9. Signed by

a) The vendor DANIEL HENRY GATHUA ID/0243805

b) The purchaser JOSHUA MWAURA KIMANI ID/11114275

c) Witnesses

- |      |                                  |                        |              |
|------|----------------------------------|------------------------|--------------|
| i)   | Name <u>DANIEL MWANGI NDUNGU</u> | ID No. <u>11728702</u> | Sign <u></u> |
| ii)  | Name _____                       | ID No. _____           | Sign _____   |
| iii) | Name _____                       | ID No. _____           | Sign _____   |
| iv)  | Name _____                       | ID No. _____           | Sign _____   |

Certificate of Receipt Payment

16/11/2014 Received Shs. 15,000/- As part payment  
14/12/2014 Received 98,000/- FINAL PAYMENT

Statement form



Handwritten initials 'MB'

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

Police case .....2020

**STATEMENT UNDER INQUIRY OF JOSHUA MWAURA KIMANI OF IDENTITY CARD NUMBER 11114275**

DATE: 28<sup>th</sup> July, 2025

TIME: 1200HRS

PLACE: ECCU, IB, DCI HEADQUARTERS.



I, CHIEF INSPECTOR DUNCAN MAINA, a Police Officer attached to the Economic and Commercial Crimes Unit, Investigation Bureau of the Directorate of Criminal Investigations (DCI Headquarters), I am investigating cases which involves:-

**1. Forgery of a will contrary to Section 350(1) of the Penal Code.**

I have reasons to believe that you Joshua Mwaura Kimani is connected with this offence(s) or if not, then you have useful information which can assist me in my investigations.

Do you wish to say anything in answer to the allegations? I caution you that you are not obliged to say anything unless you wish to do so but whatever you will say will be taken down in writing and may be used as evidence.

.....

R.O.C

.....

JOSHUA MWAURA KIMANI

Having understood the nature of the allegations and the caution administered, the suspects elects to state as follows:-

.....

R.O.C

.....

JOSHUA MWAURA KIMANI

Statement form



C2  
(L1)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**  
*Police case .....2020*

ID NO: 11114275  
JOSHUA MWAURA KIMANI  
P.O.BOX 113  
NORTH-KINANGOP.  
TEL. 0723817236  
Email:



**STATES AS FOLLOWS:**

That I am the above mentioned male adult Kenyan and currently I am a Reverend of Full Gospel Churches of Kenya in place called Mukeu in Kinangop within Nyandarua County and I now wish to state that I was called by an officer from the Directorate of Criminal Headquarters who summoned me to record statement since there was an allegation of forgery of Will of the late James Boro Karugu and thus I was to shed light since I signed the Trust Deed as one of the Executor.

I do recall well that in the year 2008 while at Nairobi Hospital where I had gone to visit my cousin namely Hellen Wambui Mwaura who was admitted there. While there she introduced me to the late James Boro Karugu who had also come to visit her. Further to that she informed me that the late is the father to her children Allan Mwaura and Adam Mwaura. In addition, the late requested Hellen Wambui Mwaura to take me to his office at Kiamara within Kiambu once she is discharged.

A handwritten signature in black ink, appearing to be 'J. Kimani', followed by the date '28/7/2025'.



C2  
(L11)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020


After about three months or thereabout I received a call from my cousin (Hellen Wambui Mwaura) and she informed me that the late is requested me to visit him. I travelled from kinangop and upon arrival at Nairobi, I met my cousin and we proceeded to the late office at Kiamara. We had a good discussion in the office and thereafter we walked around his coffee farm. During lunch time, he told us to accompany him Muthaiga Golf Club since he wanted to buy us lunch.

After that we become good friends as he would invite me to his office where we would have a lengthy discussion. In of our engagements with mobile phone he requested me to visit him in the office since there was something he wanted us to discuss. During that time I was very engaged but he insisted that I find time. I proceeded to his office and upon arrival he requested me to be one of the trustee of his properties. Honestly I have never heard something like that before and at first I refused his request since I was not his son and again we were not related.

I requested for more time to make up my mind. After a short period, he called me and invited me to his office whereby he convinced me and this time I accepted to be Trustee. Inmid2013 the late invited me to lunch as he wanted to introduce me to two other gentlemen. We met at Muthaiga club. The late introduced me to his nephew Mr. Eliud Karugu Gatambia and Mr Peter Mbuthia Gachuhi. The late informed the three of us that we had agreed to be the executors of his will and trustees to the foundation he was forming. The late asked to get to know each other. We had subsequent lunches at the same place.

In April 2014 the late told me that there is a lady called Jane whom she had given my mobile phone number, she was to direct me to her office so that I can append my signature to a certain document.

Later Jane called me and informed me that she was given my mobile phone number by James Boro Karugu and thus she wanted me to proceed to her

 28/7/2025

Statement form



C2  
(LIII)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS –DCI**

*Police case* .....2020

office which was situated in Westlands in Nairobi County so that I can sign a certain document as we had agreed with him earlier on. She gave me an appointment and on the said day she directed me to her office. On arrival, she informed me of the document which I understood concerned the late's properties since the late James Boro Karugu had called and assured me that it is the document he informed me about, and thus I appended my signature against my name.




Later the James Boro Karugu become sick but I was informed that people are not allowed to visit him by some of his family members and thus I did not travel to visit him and he passed away in the month of November 2022.

Two weeks after his death, I received a call from Jane Kabiu and she informed me that we are to meet on 29<sup>th</sup> November 2022 at a Elysia Hotel along Kiambu Road together with the other trustees since she will be handing over the Late's Will to his family members and other Executors. On the said I proceeded there and upon arrival I met Jane, the late family members and the other Executors. After prayers Jane informed us that she had convened the meeting since wanted to handover the Will. Jane made several copies and her attempt to read word to word, family members requested that each to read for his/her own.

In the month of July, 2025 I was summoned at DCI Headquarters to record my statement since there was an allegation that the late James Boro Karugu Will was forged before being handed over. I went there, interviewed and my statement was recorded.

That all I wish to state for now.

 28/7/2025

Statement form




C2  
(LN)

**DIRECTORATE OF CRIMINAL INVESTIGATIONS -DCI**  
*Police case* .....2020  
**CERTIFICATE**

I wish to verify that the above statement was obtained voluntarily from me without any fear, threats, promise or inducement of any kind.

  
.....

R.O.C

 28/7/2020  
.....

JOSHUA MWAURA KIMANI .



~~John~~

JANE WANDGACH WABU

~~John~~

JANE WANDGACH WABU



~~John~~

JANE WANDGACH WABU



RECEIVED HANDWRITING AND SIGNATURES OF JANE (KEY) OF NO. 9949675 LITCH BERR  
TAKEN ON 10th JULY 2025 AT 1600hrs AT DCI  
HOLD BEFORE 21 DURECAN 1 MAR 25

C1

C2  
(2V)

(10)

JANE WANGECHI KABU  
~~Jane~~

JANE WANGECHI KABU  
~~Jane~~

JANE WANGECHI KABU  
~~Jane~~

C2  
(LVII) (13)

JANE WANGECH KABU  
~~Jane~~

JANE WANGECH KABU  
~~Jane~~

JANE WANGECH KABU  
~~Jane~~



(12)

JANE WANGECH KABUY  
Jepu.

JANE WANGECH KABUY  
Jepu.

JANE WANGECH KABUY  
Jepu.

SPECIMEN SIGNATURES OF JANE WANGECHI  
KABIY OF ID No. 9949675 WHICH WERE  
MADE ON 10<sup>TH</sup> JULY 2025 AT DCI  
HEADQUARTERS.

(1)

C2  
(HX)

JANE WANGECHI KABIY

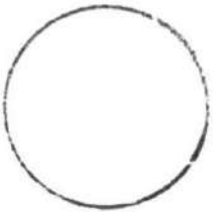
*Jane*

J



JANE WANGECHI KABIY

*Jane*



JANE WANGECHI KABIY

*Jane*

(2  
(LX)

VI

JANE WANGECHI KABIRU

*Jane*

JANE WANGECHI KABIRU

*Jane*



JANE WANGECHI KABIRU

*Jane*

~~Spun~~

JANE WANGCHH WABIA



~~Spun~~

JANE WANGCHH WABIA

~~Spun~~

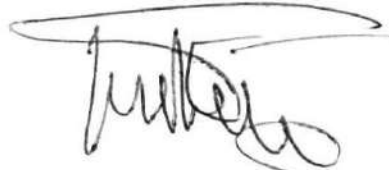
JANE WANGCHH WABIA

(M11) (C2 (X1))

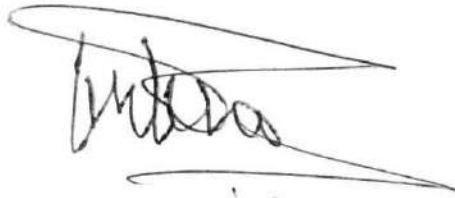
SPECIMEN SIGNATURES AND HANDWRITING OF WILLIAM  
KIMANI RICHTER OF ID NO. 4826733 WHICH WERE  
TAKEN ON 31/07/2025 AT 1100 HRS AT MUTHAIGA  
SQUARE ALONG THIKA ROAD OPPOSITE MUTHAIGA POLICE  
STATION.

WILLIAM KIMANI RICHTER

(C2  
LXII  
(L))



WILLIAM KIMANI RICHTER



(C2  
LXII)

WILLIAM KINNAMAN RICHARDS

W. K. Richards

(u)  
C2  
(LXIII)

WILLIAM KINNAMAN RICHARDS

W. K. Richards

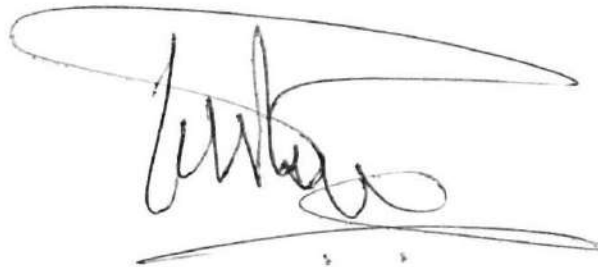
(iii)

WILLIAM WIMANI RICHTER

A handwritten signature in cursive script, appearing to read 'William Richter', is written between two horizontal lines. The signature is fluid and somewhat stylized.

C2  
(LXIV)

WILLIAM WIMANI RICHTER

A second handwritten signature, identical to the one above, is written between two horizontal lines. It is a cursive script that reads 'William Richter'.



SPECIMEN SIGNATURES OF PETER NEBITHA GACHUHI  
OF ID No. 3340661 WHICH WERE TAKEN ON 15TH  
JULY 2025 AT DCI HQ IN PRESENCE OF IP DURRAN  
MUSA

C2  
(LXV)



(10)

C2  
(LXVI)

R.

R.

R.

(w)

C2  
(Lxvii)

P.

P.

P.

P.

SPECIMEN SIGNATURE OF ELIUD KARUGU  
GAMBIA, ID NO. 2307578, TAKEN AT DCI HQS  
ON 28/7/2025 FOR PURPOSE OF INVESTIGATIONS  
RELATING TO THE ESTATE OF JAMES BORO KARUGU

C4  
10

~~Karugu.~~



C2  
(LXVIII)

~~Karugu.~~

~~Karugu.~~

→ SPECIMEN SIGNATURE OF ELIUD KARUGU  
GATAMBIA, ID NO. 2307578, TAKEN AT DCI HQS  
ON 28/7/2025, FOR PURPOSE OF INVESTIGATIONS  
RELATING TO THE ESTATE OF JAMES BORO KURUGU.


Handwritten signature of Eliud Karugu.

(10)



Handwritten signature of Eliud Karugu.



Handwritten signature of Eliud Karugu.

SPECIMEN SIGNATURE OF ELIUD KARUGU  
GAMBIA, I.D NO. 2307578, TAKEN AT DCI HQ  
ON 28/7/2025 FOR PURPOSE OF INVESTIGATIONS  
RELATING TO THE ESTATE OF JAMES BORO KARUGU

~~James~~

(W)

C2  
(LXX)

~~James~~

~~James~~

~~James~~

SPECIMEN SIGNATURES OF JUSTUS MUKAMBA  
KIMANI OF ID No. 1114275 WHICH WERE  
TAKEN ON 23<sup>TH</sup> JULY 2025 AT DCI HEADQUARTERS

C5

(1)



C2  
(LXI)



C2  
(LXII)

(10)

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*



C2  
(LXXII)

W

~~Handwritten scribble~~

~~Handwritten scribble~~

~~Handwritten scribble~~

C2  
①

# NATIONAL POLICE SERVICE



## DIRECTORATE OF CRIMINAL INVESTIGATIONS

### Forensic Document Examiner's Report

Our Ref: CID/ORG/8/3/1/618-2025

ECCU



This is Exhibit marked "DM-24"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9th  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

DCI Headquarters Kiambu Road, P.O. Box 30036-00100, Nairobi-Kenya.



## NATIONAL POLICE SERVICE

Telegrams: "CRIMINAL" Nairobi  
Email: director@cid.go.ke  
Tel: 020343312, 0202603724.



MAZINGIRA HOUSE  
KIAMBU ROAD  
P.O. Box 30036, NAIROBI.

### DIRECTORATE OF CRIMINAL INVESTIGATIONS

#### FORENSIC DOCUMENT EXAMINER'S REPORT

##### Case work diary

Ref : CID/ORG/8/3/1/618-2025  
Station : ECCU  
Cr. No./Inquiry No. : 45/2025  
Offence : As Per Memo Form.  
Request : As Per Memo Form.  
Date of examination : Friday, 22 August 2025  
Examiner : CI Benard Cheruiyot



##### Statement of Qualification

I wish to state that I am a qualified Forensic Document Examiner with Over TEN years experience working on a full-time basis with the Directorate of Criminal Investigations- Forensic Document Examination Section.

I hold a Bachelor of Education Degree from Maseno University-Kenya and I have been trained as a Forensic Document Examiner at DCI Headquarters -Forensic Document Examination Laboratory, Regional Forensic Laboratory -Khartoum Sudan, INTERPOL and Gujarat Forensic Sciences University-India.

C2  
(iii)

**Examinations and Findings**

1. I have examined and compared the questioned signatures enclosed by blue ink on exhibits marked "A1-A2" with the known signatures enclosed by blue ink on exhibits marked "B1a(i-vi)".

**In my opinion the signatures were made by the same author.**

2. I have examined and compared the questioned name initials enclosed by red ink on all pages on exhibits marked "A1-A2" with the known name initials enclosed by red ink on exhibits marked "B1b(i-ix)".

**In my opinion the name initials were made by different authors.**

3. I have examined and compared the questioned handwritings and signature pointed by red ink on exhibits marked "A1-A2" with the specimen handwritings and signatures on exhibits marked "C1(i-vii)" and known signatures pointed by red ink on exhibit marked "B2".

**In my opinion the handwritings and signatures were made by the same author.**

4. I have examined and compared the questioned handwritings and signature pointed by black ink on exhibit marked "A1" with the specimen handwritings and signatures on exhibits marked "C2(i-iii)" and known signatures pointed by black ink on exhibits marked "B3(i-iii)".

**In my opinion the handwritings and signatures were made by the same author.**

5. I have examined and compared the questioned signature pointed by blue ink on exhibit marked "A2" with the specimen signatures on exhibits marked "C3(i-iii)" and known signature pointed by blue ink on exhibit marked "B4".

**In my opinion the signatures were made by the same author.**

6. I have examined and compared the questioned signature pointed by green ink on exhibit marked "A2" with the specimen signatures on exhibits marked "C4(i-iii)" and known signatures pointed by green ink on exhibits marked "B5(i-ii)".

**In my opinion the signatures were made by the same author.**

7. I have examined and compared the questioned signature pointed by yellow ink on exhibit marked "A2" with the specimen signatures on exhibits marked "C5(i-iii)" and known signatures pointed by yellow ink on exhibits marked "B6(i-ii)".

**In my opinion the signatures were made by the same author.**

**NB:**

1. I examined the original last will and testament of James Boro Karugu also known as James Karugu dated 2<sup>nd</sup> April 2014 and original settlement trust deed establishing the JBK Foundation dated 2<sup>nd</sup> April 2014. Therefore the findings 1 to 7 above are based on analysis of **ORIGINAL DOCUMENTS**.

2. Further, I examined and compared the questioned name initials enclosed by red ink on all pages on exhibits marked "A1-A2" with the known signatures enclosed by blue ink on exhibits marked "B1a(i-vi)" (truncated to the extent of the initials) and in my opinion the writings were made by different authors.

C2  
(iv)

3. I examined the signed page of the original last will and testament of James Boro Karugu also known as James Karugu dated 2<sup>nd</sup> April 2014 and noted that a white substance was used to smudge a page number. Upon analysis the page number turned out to be 7. This indicates that the original will has two page 7.

**Methodology**

I subjected the signatures and handwritings to image enhancement, magnification and infrared photographic and filtering procedures using Video Spectral Comparator (VSC 6000/ HS) for better visibility and inspection of individual characteristics for absolute identification.

**Observations**

The questioned documents are originals and examinable. The specimen and known signatures and handwritings are consistent and sufficient for comparison purposes. I have considered all the possibilities of natural variations resulting from the time span the signatures and handwritings were made, writing instruments and the changing writing habits. My findings are based on the individual characteristics in the signatures and handwritings that provided me with forensic evidence. For each document, I have individually considered the following: -pen pressure, initial and terminal strokes, pen movement, line quality, unique character designs and pen lifts.

The exhibits and report are hereby returned to; -

OC ECCU

22/08/2025



**Benard Cheruiyot**  
**Forensic Document Examiner**  
**For: Director, Directorate of Criminal Investigations.**



DCI/NFL/00763/2025

C2  
(V)

DIRECTORATE OF CRIMINAL INVESTIGATION  
**RECEIVED**  
21 AUG 2025  
P. O. Box 30036-00100 NAIROBI  
FORENSIC EVIDENCE MANAGEMENT

**NATIONAL POLICE SERVICE**

**EXHIBIT MEMO**

EXAMINATION SECTION  
21 AUG 2025  
**RECEIVED**  
NAIROBI  
DCI HEADQUARTERS

Station: ECCU Division: IB Charge Register: INQUIRY NO: 45/2025



**TO:** OC  
FORENSIC DOCUMENT EXAMINATION,  
DCI HEADQUARTERS.

**I forward herewith under escort of DETECTIVE MOHAMED BASHORA, exhibits enumerated below for favor of examination.**

**Exhibits and identification markings: -**

- A-1. ORIGINAL LAST WILL AND TESTAMENT OF JAMES BORO KARUGU *also known as* JAMES KARUGU, DATED 2<sup>ND</sup> APRIL 2014, WITH A TOTAL OF TWENTY-THREE SHEETS OF PAPER, BEING QUESTIONED DOCUMENT NO. 1.
- A-2. ORIGINAL SETTLEMENT TRUST DEED ESTABLISHING THE JBK FOUNDATION, DATED 2<sup>ND</sup> APRIL 2014, WITH A TOTAL OF TWELVE SHEETS OF PAPERS, BEING QUESTIONED DOCUMENT NO. 2.
- B-1(a) KNOWN SIGNATURES OF THE LATE JAMES BORO KARUGU ENCLOSED IN BLUE INK, IN DOCUMENTS NUMBERED FROM (i) – (vi).
- B-1(b) KNOWN NAME INITIALS OF THE LATE JAMES BORO KARUGU ENCLOSED IN RED INK, IN DOCUMENTS NUMBERED FROM (i) – (ix)
- B-2. KNOWN SIGNATURE OF JANE WANGECHI KABIU.
- B-3. KNOWN SIGNATURE OF WILLIAM KIMANI RICHU.
- B-4. KNOWN SIGNATURE OF PETER MBUTHIA GACHUI.
- B-5. KNOWN SIGNATURE OF ELIUD KARUGU GATAMBIA.
- B-6. KNOWN SIGNATURE OF JOSHUA MWAURA KIMANI.
- C-1. SPECIMEN SIGNATURES OF JANE WANGECHI KABIU, IN (i) – (iii)
- C-2. SPECIMEN SIGNATURES OF WILLIAM KIMANI RICHU, IN (i) – (iii)
- C-3. SPECIMEN SIGNATURES OF PETER MBUTHIA GACHUI, IN (i) – (iii)
- C-4. SPECIMEN SIGNATURES OF ELIUD KARUGU GATAMBIA, IN (i) – (iii)
- C-5. SPECIMEN SIGNATURES OF JOSHUA MWAURA KIMANI, IN (i) – (iii)



**Precise of offence: -**

THE QUESTIONED DOCUMENTS ARE PRESENTED AS TESTAMENTARY DOCUMENTS FOR PURPOSE OF ADMINISTRATION AND DISTRIBUTION OF THE ESTATE OF THE LATE JAMES BORO KARUGU. VICTORIA NYAMBURA KARUGU,

C2  
(vi)

A BENEFICIARY OF THE ESTATE, DISPUTES THE AUTHENTICITY OF THE DOCUMENTS, ON THE BASIS OF SUSPECTED FALSIFICATION OF THE SIGNATURES AND INITIALS APPEARING THEREIN, AS FOR THE LATE JAMES BORO KARUGU. THE QUESTIONED DOCUMENTS MARKED A-1 AND A-2, ARE THUS SUSPECTED TO BE FALSE DOCUMENTS.

**It is thus desired to ascertain: -**

1. Whether the signatures **enclosed in Blue ink** in the questioned documents marked A-1 and A-2, when compared with known signatures also **enclosed in Blue ink** in exhibit marked B-1(a)(i - vi), were made by the same author.
2. Whether the name initials **enclosed in Red ink** in all the pages of the questioned documents marked A-1 and A-2, when compared with known name initials also **enclosed in Red ink** in exhibit marked B -1(b)(i-ix), were made by the same author.
3. Whether the signatures and handwriting in the questioned documents marked A-1 and A-2 **pointed by Red ink**, when compared with known signatures also **pointed by Red ink** in exhibit marked B-2 () and specimen signatures and handwriting in exhibit marked C-1(i- vii), were made by the same author.
4. Whether the signatures and handwriting in the questioned document marked A-1 **pointed by Black ink**, when compared with known signatures also **pointed by Black ink** in exhibit marked B-3 (i) – (iii) and specimen signatures and handwriting in exhibit marked C-2(i-iii), were made by the same author.
5. Whether the signatures **pointed by Blue ink** in the questioned document marked A-2, when compared with known signatures also **pointed by Blue ink** in exhibit marked B-4 and specimen signatures marked C-3(i-iii), were made by the same author.
6. Whether the signatures **pointed in Green** in the questioned document marked A-2, when compared with known signatures also **pointed in Green** in exhibit marked B-5 (i) – (ii) and specimen signatures marked C-4(i-iii), were made by the same author.
7. Whether the signatures **pointed in Yellow** in the questioned document marked A-2, when compared with known signatures also **pointed in Yellow** in exhibit marked B-6 (i) –(ii) and specimen signatures marked C-5(i-iii), were made by the same author.

Name of complainant: **VICTORIA WAMBURA KARUGU.**

Name of accused (if known): .....

Offence and Section: **FORGERY OF A WILL CONTRARY TO SECTION 350(1) OF THE PENAL CODE, AMONG OTHER OFFENCES**

C2  
(vii)

Time, date and place committed: UNKNOWN TIME AND DATES, AT UNKNOWN PLACE WITHIN THE REPUBLIC OF KENYA.

Time, date and place exhibit(s) found and by whom: ON 10<sup>TH</sup> JULY 2025, BY C.I. DUNCAN MAINA AND DETECTIVE MOHAMED BASHORA.

Taken possession of by: C.I DUNCAN MAINA AND DETECTIVE M. BASHORA.

Date: 21<sup>ST</sup> AUGUST 2025. Signed: *[Signature]*

Exhibits enumerated above received. Signed *[Signature]* Date 21.08.25

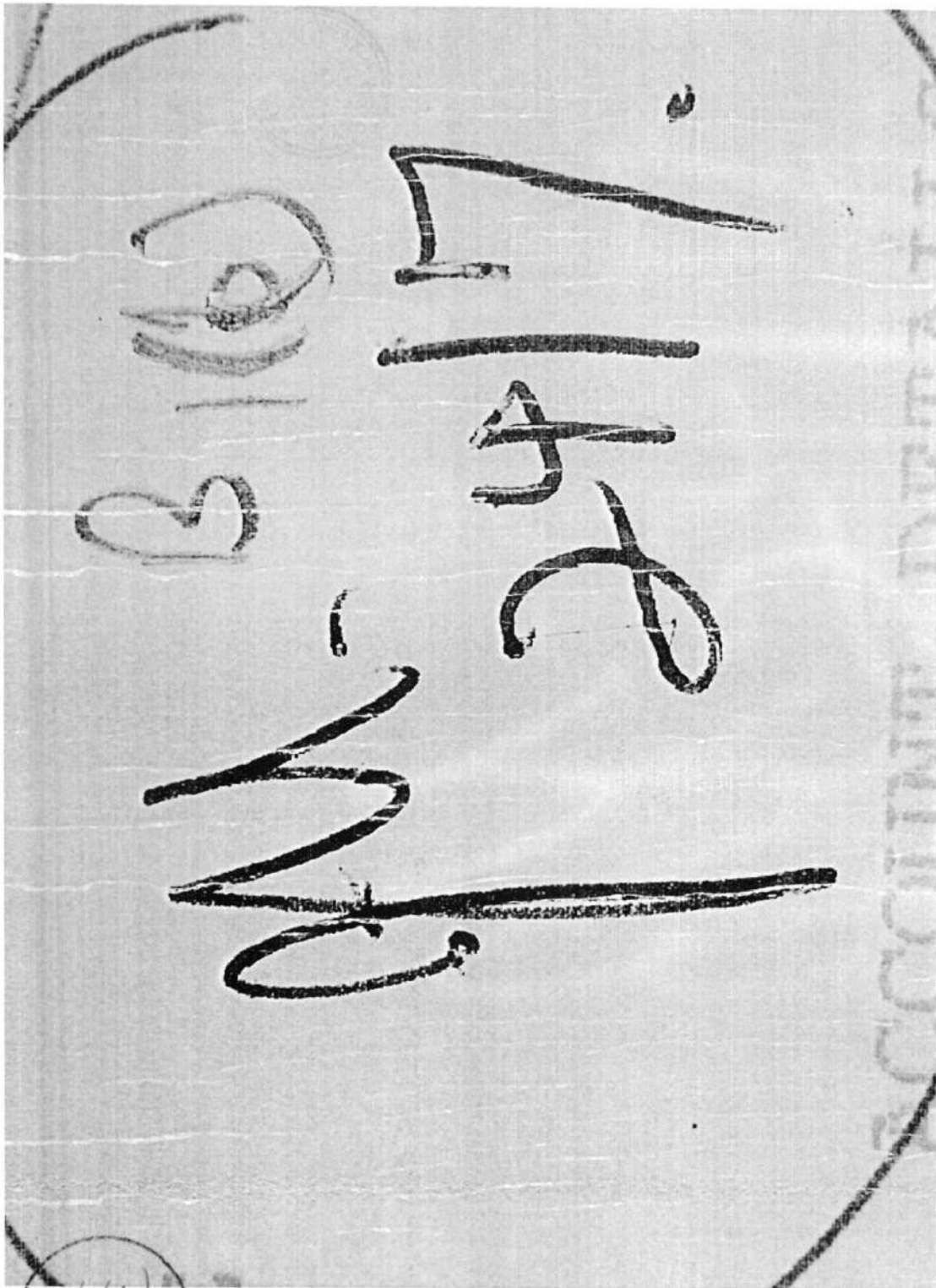
Note - This form to be completed in triplicate; the three copies to accompany the exhibits, second copy to be returned as report, third copy to be returned as receipt.



NB:

**THE ORIGINAL DOCUMENTS MARKED A-1 AND A-2, ARE TO BE SURRENDERED BACK TO KAPLAN & STRATTON, IMMEDIATELY AFTER EXAMINATION.**



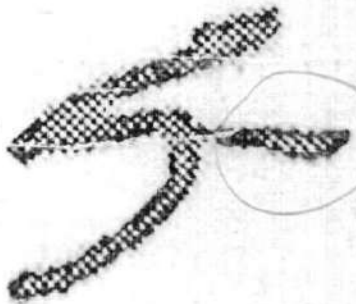


VSC6000-S US:R, Examiner, VSC6000/HS, Serial Number 60749

11:56:11 21/08/2025 Lights=Flood, Longpass=VIS, Mag=8.79

Auto Exposure Integration=88ms, Iris=50%, Brightness=60, Gamma=Off, Imaged width=36.86 mm

C2  
(X)



VSC6000/HS USER, Examiner, VSC6000/HS, Serial Number 60/49  
11:59:08 21/08/2025 Lights=Flood, Longpass=VIS, Mag=10.12  
Auto Exposure (Interpation=6:ms, Iris=50%), Brightness=60, Gamma=Off, Imaged width=32.02 mm

C2  
(xi)

VSC0000145 Thu 21/08/2025 11:59:45 Examiner 16



VSC6000165 USER, Examiner, VSC0000145, Serial Number 60749  
11:59:45 21/08/2025 Lights=Good, Longpass=VIS, Mag=10:12  
Auto Exposure (Integration=6.3ms, Iris=50%), Brightness=60, Gamma=Off, Imaged width=32.02 mm

C2  
(Xii)

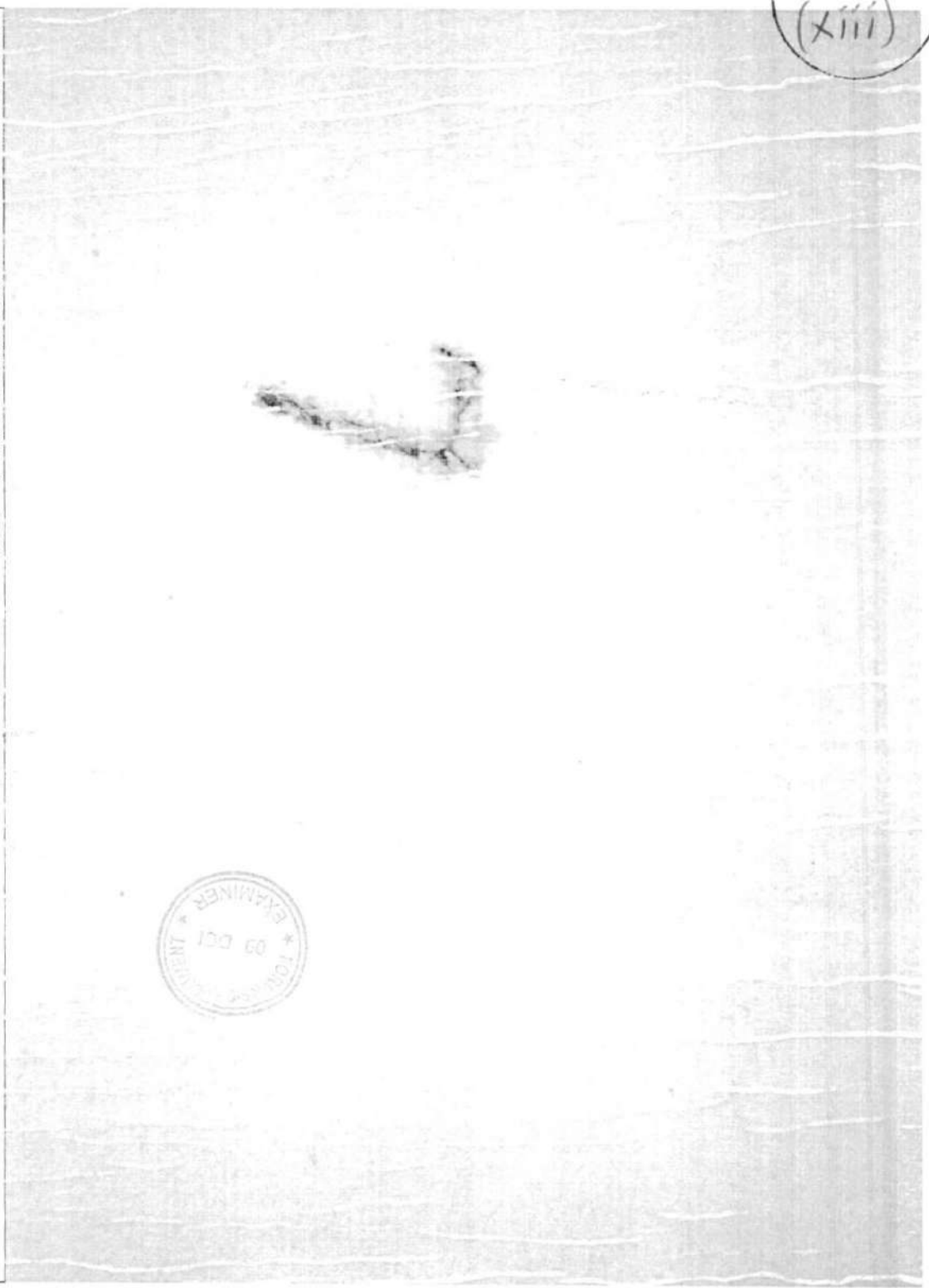
VSC6000HF: Thu 21/08/2025 11:59:52 Examiner 15

Handwritten text: AHI  
A large, stylized handwritten mark resembling a 'D' or '7' is located at the top of the page.



VSC6000HF5 USER, Examiner, VSC6000/HS, Serial Number 60749  
11:59:52 21/08/2025 Lights=Flood, Compass=VIS, Mag=10.12  
Auto Exposure (Integration=74ms, Irs=50%), Brightness=60, Gamma=Off, Imaged width=32.02 mm

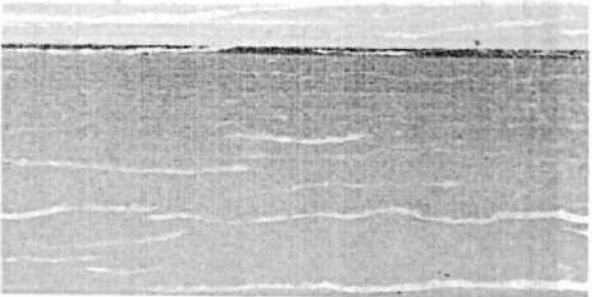
C2  
(XIII)



VSC6000HS USE 2, Examiner, VSC6000/HS, Serial Number 63749  
01:55:05 21/03/2025 Light= Flood, Longpass= VL, Mag= 2.5, 84  
Auto Exposure (Integration= 20ms, Iris= 66%), Brightness= 60, Gamma= Off, Imaged width= 1.254 cm

CR  
(XIV)

J.B. M.



J.B. M.

VSC600/HS USER, Examiner, VSC600/HS Serial Number 60719  
11:15:45 21/08/2025 Lights=Flood, Longpass=VIS, Mag=5.42  
Auto Exposure (Integration=74ms, Itr=50%), Brightness=60, Gamma=Off, Image width=5125 mm

C2  
(XV)

BIC(9)III

J.B. Manning

JAMES.B.KARUGU

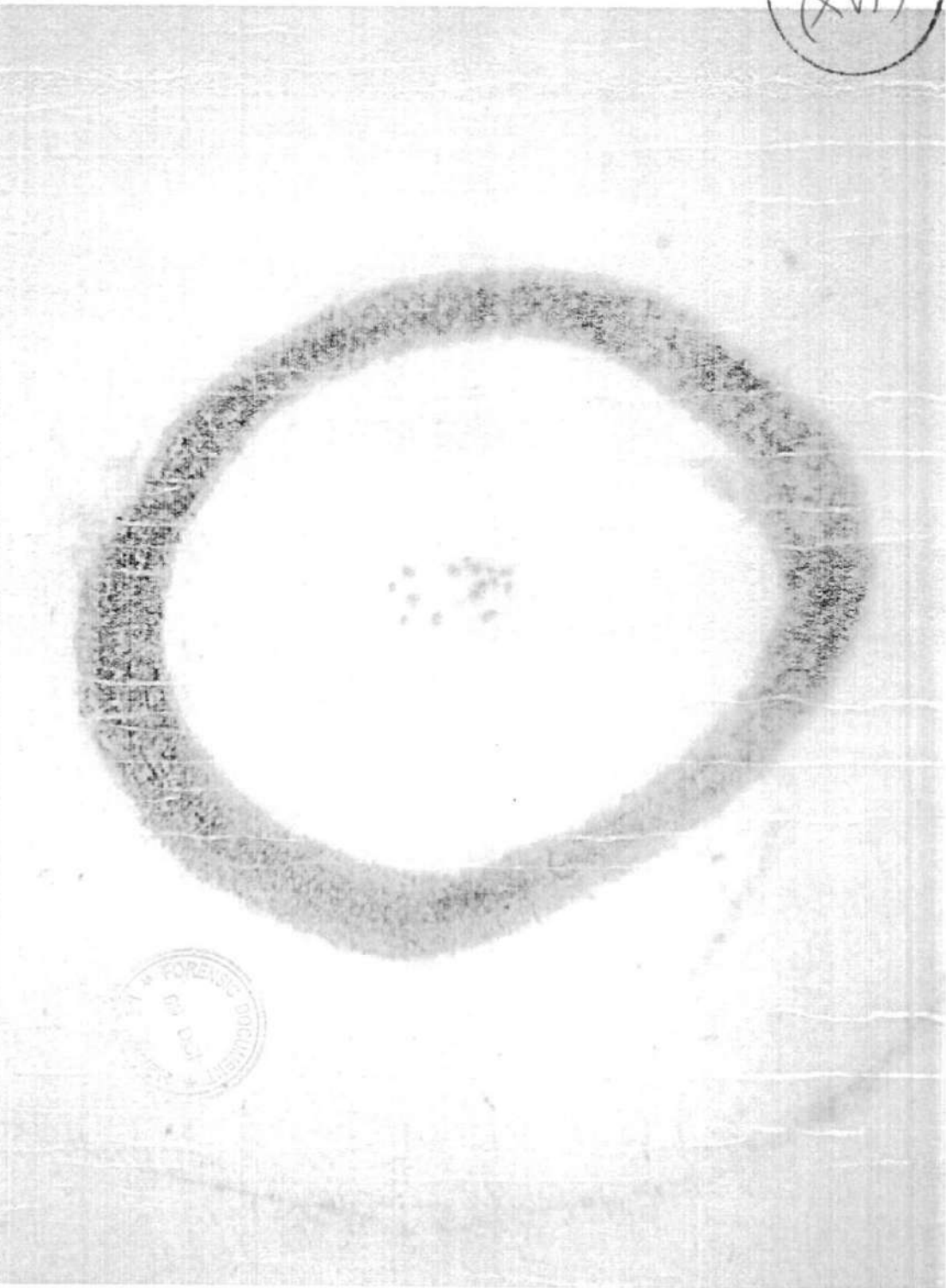


J.B. Manning

VSC6000HS USER, Examiner, VSC3000/HS, Serial Number 6074  
11:15:10 21/06/2025 Lights: Flood, Longpass= V15, Mag=4.04  
Auto Exposure: (Integration=6.3ms, Iris=50%), Fwhm=6.0, Gamma=Coff, Image d vjld-h=£0.20 mm

C2  
(Xvi)

VSC6000.HIS Thu 2/1/08/20:35 115 56 52 smudge pattern on copy of wall

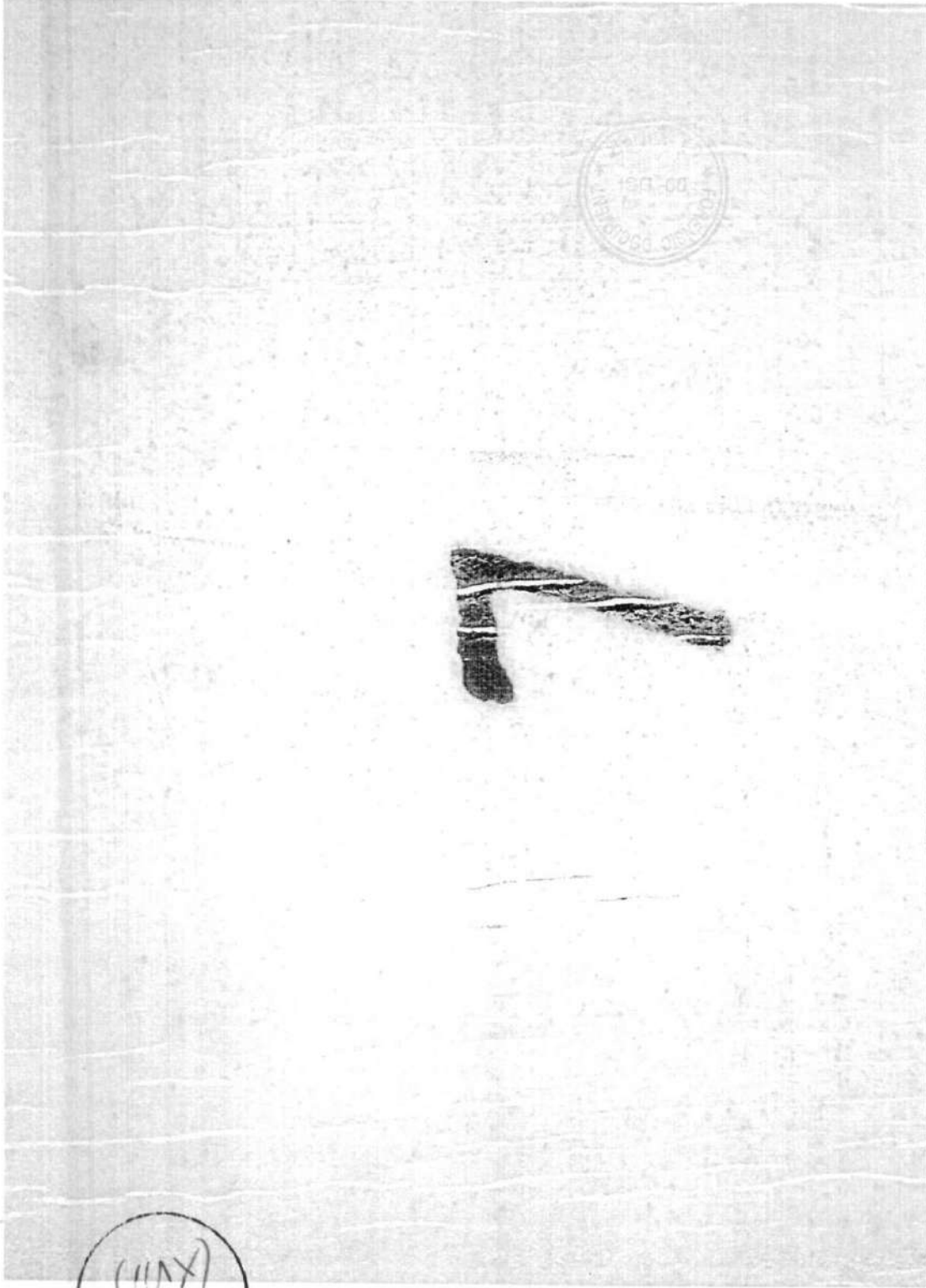


LABORATORY OF FORENSIC SCIENCE  
FBI  
WASHINGTON, D.C.

VSC6000.HIS USER, Examination: VSC6000/HIS, Serial Number 60749  
15:56:52 2/1/08/2025 Lights=Good, Compass=VLS, Mag=23.12  
Auto Exposure (Integration=7000s, Iris=63%), Brightness=60, Gamma=00, Imaged width=12.95 mm

VSC6000/HI: Thu 2 /08/2025 15:46:14 Examiner 13

C2  
(XVI)



DO NOT TOUCH  
FBI LABORATORY

VSC6000HS USE 3, Examiner, VSC6000/HI, Serial Number 60749  
15:46:14 21/08/2025 Lights=Flood, Longpass=VLE, Mag=30.14  
Auto Exposure (Integration=2.2m, Iris=70%), Brightness=60, Gamma=0.01, ima jed v idth=10.75 m n



**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS**

Telegraphic address: "Personnel", Nairobi  
Telephone: Nairobi 2732090  
Mobile: 0723202888/0787880580  
Fax: 2243524  
Email: info@odpp.go.ke

ODPP House  
Ragati Road, Upper Hill  
P. O. Box 30701 – 00100  
NAIROBI  
KENYA

**When replying please quote**

**Ref. No: ODPP/HQ/CAM/2/5079**

**Date: 23<sup>rd</sup> December, 2025**

Director  
Directorate of Criminal Investigations  
Mazingira House  
P O Box 30036 - 0100  
**NAIROBI**

This is Exhibit marked "DM-25"  
referred to in the Annexed Affidavit / Declaration of  
DUNCAN MAINA  
Sworn / Declared before me this 9<sup>th</sup>  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

**RE: ECCU INQUIRY FILE NO. 47/2025**  
**COMPLAINANT: VICTORIA NYAMBURA KARUGI**  
**SUSPECT: JANE WANGECHI KABIU AND THREE**

I write with reference to the above-captioned subject matter and your letter reference **DCI/IB/ECCU/SEC/2/3/VOL.XIII/26** dated **13<sup>th</sup> November, 2025**.

The Police duplicate inquiry file was placed before the Director of Public Prosecutions who upon thorough perusal has directed as follows:

1. **Jane Wangechi Kabiou alias Jane Kabiou Gitau (E1)**. Her role as the custodian, alleged witness, organizer of Will handover, conduit of estate schedules, deponent of the impugned affidavit. To be charged with;
  - (a) **Forgery contrary to section 345 as read with Section 349 of the Penal Code.**
  - (b) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
  - (c) **Uttering a False Document contrary to section 353 of the Penal Code**
  - (d) **Conspiracy to Defraud contrary to section 317 of the Penal Code**
  - (e) **False Swearing/Perjury contrary to Sections 108 and 110 of the Penal Code.**
  
2. **Peter Mbuthia Gachuhi (E3)**. His role as the named executor, custodian of original Will, filer of succession proceedings, beneficiary of forged authority. To be charged with;
  - (a) **Uttering a False Document contrary to section 353 of the Penal Code**
  - (b) **Conspiracy to Defraud contrary to section 317 of the Penal Code.**

- (c) **Forgery (Joint Principal/common intention) contrary to section 345 as read with section 349 of the Penal Code.**
- (d) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
3. **Rev. Joshua Mwaura Kimani (E4).** His role as the named executor and trustee, signatory to Trust Deed, beneficiary-linked participant. To be charged with;
- (a) **Conspiracy to Defraud contrary to section 317 of the Penal Code.**
- (b) **Uttering a False Document contrary to section 353 of the Penal Code**
- (c) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
4. **Eliud Karugu Gatambia (E5).** His role as named Executor, signatory, participant in implementation of disputed documents. To be charged with;
- (a) **Conspiracy to Defraud contrary to section 317 of the Penal Code**
- (b) **Uttering a False Document contrary to section 353 of the Penal Code**
- (c) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
5. **William Kimani Richu (E2).** His role as the alleged witness to the execution, attesting advocate, prior access to estate information. To be charged with;
- (a) **Forgery contrary to section 345 as read with section 349 of the Penal Code**
- (b) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
- (c) **Conspiracy to Defraud contrary to section 317 of the Penal Code**
- (d) **Uttering a False Document contrary to section 353 of the Penal Code**
6. **Eric Charles Mwaura Karugu (E6)**(status: Further Investigations required). The current position is that evidence discloses strong suspicion of involvement, including prior access to safes, possession of an unsigned draft Will, coordination with executors, and insistance on adoption of the impugned documents. The directives are not to be charged at this stage. DCI to conduct further corroborative investigations and resubmit the file for final directions regarding possible charges under;
- (a) **Conspiracy to Defraud contrary to section 317 of the Penal Code.**
- (b) **Forgery of a Will contrary to section 350(1) of the Penal Code.**
- (c) **Uttering a False Document contrary to section 353 of the Penal Code.**

You are further directed to;

1. Institute Criminal Proceedings forthwith against the aforementioned suspects
2. Apply for production orders compelling surrender of the Original Last Will and Testament and Settlement Trust Deed.
3. Regularize evidentiary gaps, including missing electronic certificate under the Evidence Act.
4. Continue investigations to establish any financial or proprietary benefit arising from the forged documents. You are accordingly directed to proceed without delay and keep this office informed of all material developments.

Your duplicate inquiry file is returned herewith.

A handwritten signature in black ink, appearing to read "H. Isiaho", written in a cursive style.

**HILLARY ISIAHO**  
**PROSECUTION COUNSEL**  
**FOR: THE DIRECTOR OF PUBLIC PROSECUTIONS**

B9  
(XOX)

FILED ELECTRONICALLY ON  
Date: 6.7.23 Time: 5.08 AM

This is Exhibit marked "DM-26"  
referred to in the Annexed Affidavit / Declaration of  
Duncan MAINA  
Sworn / Declared before me this 9th  
day of Feb 20 26  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
FAMILY DIVISION  
SUCCESSION CAUSE NO. E916 OF 2023

IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED)  
CHAMBER SUMMONS

(Under Section 70 of the Succession Act and Rule 49 of the Probate and Administration Rules)

LET ALL PERSONS CONCERNED attend the Judge in Chambers on the.....day of  
.....20.....at 9.00 o'clock in the forenoon or soon thereafter for the hearing of an application  
on the part of the Administrators and the beneficiaries of the Estate for Orders:

1. THAT the listing of the estate assets and liabilities and values thereof in the Petition for Grant of Probate be dispensed with.
2. THAT a certified copy of the Will be held in a sealed envelope by the Deputy Registrar of the High Court.
3. THAT the costs of this application be provided for.

WHICH APPLICATION is supported by the annexed affidavit of PETER MBUTHIA GACHUHI,  
JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA the Executors.

ON THE GROUNDS THAT:

- 1) The dispensation is in the best interest of the beneficiaries of the Estate.
- 2) There will be no prejudice caused to any third party if the orders are granted.

DATED at Nairobi this 5<sup>th</sup> day of July 2023

KAPLAN & STRATTON  
ADVOCATES FOR THE ADMINISTRATORS/APPLICANTS

Issued at Nairobi this \_\_\_\_\_ day of \_\_\_\_\_ 2023

DEPUTY REGISTRAR  
HIGH COURT OF KENYA, NAIROBI

This summon was taken  
out, drawn and filed by:

DRAWN & FILED BY:  
Kaplan & Stratton Advocates  
Williamson House  
4th Ngong Avenue  
P.O. Box 40111-00100

B9  
(c)

NAIROBI. (PMG/KA/324/5)

Tel: 0729 742 784/0733 733 746

Email: [KSLitigation@kapstrat.com](mailto:KSLitigation@kapstrat.com)

B9  
(C1)

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI  
SUCCESSION CAUSE NO. E916 OF 2023

IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED)

AFFIDAVIT

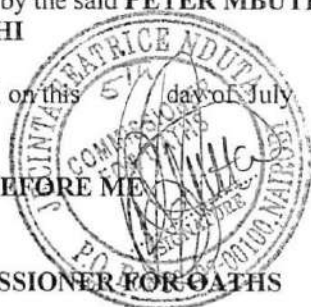
We, PETER MBUTHIA GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA whose address for the purposes of these proceedings is P.O. Box 40111-00100 Nairobi, in the Republic of Kenya. We are all adults hereby make oath and say as follows:

1. THAT we PETER MBUTHIA GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA are the executors appointed by the late JAMES BORO KARUGU in his Will dated 2<sup>nd</sup> April 2014 and therefore entitled to petition for a grant of probate.
2. THAT during his lifetime the Deceased acquired substantial moveable and immoveable properties and lead a quiet life keeping his personal affairs very private.
3. THAT we have consulted the beneficiaries of the estate and verily believe that listing of the assets in the petition for Grant of Probate or any subsequent applications will attract unwarranted interest especially by the media which will expose the beneficiaries to undue publicity. We further believe that would be prejudicial to the beneficiaries as it could expose the beneficiaries to unscrupulous persons wishing to cause the family members harm.
4. THAT we have provided the Court with a sealed envelope containing a certified copy of the Will for purposes of the probate process.
5. THAT we will comply with the orders that may be issued by this Court and will comply with the probate and administration rules upon gazettment of the petition for Grant of Probate and or before the distribution is done as provided by law.
6. THAT it is in the interest of justice that this application to dispense with disclosure of the Will and the listing of the assets is granted.
7. THAT what is stated herein is true to the best of our knowledge, information and belief.

SWORN by the said PETER MBUTHIA GACHUHI )

at Nairobi on this 5<sup>th</sup> day of July )  
2023 )

BEFORE ME )



COMMISSIONER FOR OATHS )

B9  
(cii)

SWORN by the said  
JOSHUA MWAURA KIMANI  
at Nairobi on this \_\_\_\_\_ day of July  
2023

BEFORE ME

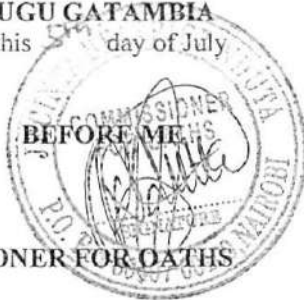


COMMISSIONER FOR OATHS

*[Handwritten signature]*

SWORN by the said  
ELIUD KARUGU GATAMBIA  
at Nairobi on this \_\_\_\_\_ day of July  
2023

BEFORE ME



COMMISSIONER FOR OATHS

*[Handwritten signature]*

**DRAWN & FILED BY:**

Kaplan & Stratton Advocates  
Williamson House  
4th Ngong Avenue  
P.O. Box 40111-00100  
NAIROBI. (PMG/KA/324/5)  
Tel: 0729 742 784/0733 733 746  
Email: [KSLitigation@kapstrat.com](mailto:KSLitigation@kapstrat.com)

B9  
(ciii)

FILED ELECTRONICALLY ON  
Date: 6.7.23 Time: 9.05am

REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
FAMILY DIVISION  
SUCCESSION CAUSE NO. E916 OF 2023

IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED)  
PETITION FOR GRANT OF PROBATE

We, PETER MBUTHIA GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA whose address for purposes of these proceedings is Post Office Box 40111-00100, hereby Petition this Honourable Court for a Grant of Probate of the last Will of the above-named JAMES BORO KARUGU (the "Deceased") and say as follows:

1. The said JAMES BORO KARUGU died on 10<sup>th</sup> November 2022 at Nairobi and was domiciled in Kenya.
2. The Deceased's last written Will is dated 2<sup>nd</sup> April 2014.
3. In the said Will, the Deceased appointed PETER GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA as the executors of his Will.
4. We, the said executors will faithfully administer according to law all the Estate which by law devolves upon and vests in the personal representatives of the Deceased and we will render a just and true account of such Estate whenever required by law so to do and we will when required by this Court deliver thereto the said Grant.

SIGNED by the said  
PETER MBUTHIA GACHUHI  
At Nairobi this 5<sup>th</sup> day of July  
2023

In the presence of  
JACINTE BEATRICE NDIJIA  
COMMISSIONER  
FOR WILLS  
P.O. Box 30407-00100 NAIROBI



SIGNED by the said JOSHUA  
MWAURA KIMANI  
At Nairobi this 5<sup>th</sup> day of July  
2023

In the presence of  
JACINTE BEATRICE NDIJIA  
COMMISSIONER  
FOR WILLS  
P.O. Box 30407-00100 NAIROBI





B9  
(CV)

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI  
FAMILY DIVISION

SUCCESSION CAUSE NO. OF 2023

IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED)

AFFIDAVIT IN SUPPORT OF PETITION FOR GRANT OF PROBATE

We, PETER MBUTHIA GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA being adults and whose address for purposes of these proceedings is Post Office Box 40111-00100, make oath and say as follows:

1. The full names of the Deceased to whose Estate the proceedings herein relate are **JAMES BORO KARUGU**. We are the Petitioners named in the Petition herein upon which we have endorsed our names at the time of swearing this Affidavit.
2. The Deceased died on 10<sup>th</sup> November 2022 at Nairobi as appears from the attached copy of the certificate of death marked "A" upon which we have appended our signatures at the time of swearing this affidavit.
3. The Deceased was at the date of his death domiciled in Kenya and his last known place of residence was at Kiamara estate, Kiambu County.
4. The Deceased died leaving a valid written Will dated 2<sup>nd</sup> April 2014. A certified copy of the Will has been provided to the Court in a sealed envelope.
5. We are seeking a grant of representation to the estate of the Deceased on the grounds that we are the persons named as the Executors of the said Will.
6. The facts herein deponed are true to the best of our knowledge, information and belief.

SWORN by the said PETER MBUTHIA )  
 GACHUHI )  
 At Nairobi this 5<sup>th</sup> day of July )  
 2023 )



BEFORE ME



COMMISSIONER FOR OATHS )

B9  
(Cvi)

SWORN by the said **JOSHUA MWAURA  
KIMANI**  
At Nairobi this 5<sup>th</sup> day of July  
2023

BEFORE ME

COMMISSIONER FOR OATHS



SWORN by the said **ELIUD KARUGU  
GATAMBIA**  
At Nairobi this 5<sup>th</sup> day of July  
2023

BEFORE ME

COMMISSIONER FOR OATHS



**DRAWN & FILED BY:**

Kaplan & Stratton Advocates  
Williamson House  
4th Ngong Avenue  
P.O. Box 40111-00100  
NAIROBI. (PMG/KA/324/5)  
Tel: 0729 742 784/0733 733 746  
Email: [KSLitigation@kapstrat.com](mailto:KSLitigation@kapstrat.com)

B9  
(CXX)

This is Exhibit marked "DM-27"  
referred to in the Annexed Affidavit / Declaration of  
Duncan MAINA  
Sworn / Declared before me this 9th  
day of Feb 2026  
at NAIROBI in the Republic of Kenya  
Commissioner for Oaths

REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
FAMILY DIVISION  
SUCCESSION CAUSE NO. E916 OF 2023

IN THE MATTER OF THE ESTATE OF JAMES BORO KARUGU (DECEASED)

VICTORIA NYAMBURA KARUGU ..... OBJECTOR

-VERSUS-

PETER MBUTHIA GACHUHI ..... 1<sup>ST</sup> RESPONDENT  
JOSHUA MWAURA KIMANI ..... 2<sup>ND</sup> RESPONDENT  
ELIUD KARUGU GATAMBIA ..... 3<sup>RD</sup> RESPONDENT

OBJECTION TO MAKING OF GRANT OF PROBATE OF WRITTEN WILL

To: High Court of Kenya  
At Nairobi  
Family Division  
Milimani Law Courts  
KENYA

TAKE NOTICE that VICTORIA NYAMBURA KARUGU of C/O Post Office Box Number 52-00606 (Sarit Centre) Nairobi, hereby objects to the making of the Grant of Probate of Written Will to the Estate of the above-named JAMES BORO KARUGU (DECEASED) who died on 10<sup>th</sup> November 2022 as sought in the Petition of PETER MBUTHIA GACHUHI, JOSHUA MWAURA KIMANI and ELIUD KARUGU GATAMBIA all of Post Office Box 40111-00100 filed in the High Court of Kenya Family Division, Milimani Law Courts in Nairobi on 6<sup>th</sup> July 2023.

The interest of the said VICTORIA NYAMBURA KARUGU is of a beneficial nature as the daughter of the Deceased and the grounds for her objection are as follows:

1. THAT on 6<sup>th</sup> July 2023 the Respondents jointly filed a Petition for Grant of Probate of Written Will and the same was anchored on a purported Last Will and Testament of the Deceased dated 2<sup>nd</sup> April 2014 hereinafter only referred to as the "impugned document".
2. THAT vide an anonymous complaint lodged at the Directorate of Criminal Investigations ("DCI"), the impugned document and known signatures of the Deceased were forwarded to the government document examiner in order to be subjected to a forensic analysis to ascertain if the impugned document was executed by the Deceased.
3. THAT vide a report prepared sometime in June 2023, the impugned document was deemed to be a forgery and not executed by the Deceased. That the circumstances of the preparation and production of the impugned document are subject to an active investigation being conducted by the officers from DCI.

Filed on: 2023-06-15 15:52:42+03 - BY: Andrew & Steve Advocates - Reference: E20/2023 - KSH: 1360 00

139  
(CXXI)

TO BE SERVED UPON:

Kaplan & Stratton Advocates  
Williamson House  
4<sup>th</sup> Ngong Avenue  
P.O Box 40111-00100  
NAIROBI  
Tel: 0729742784; 0733733745  
Email: [KSLitigation@kapstrat.com](mailto:KSLitigation@kapstrat.com)

(Ref: PMG/KA/324/5)

Angela Mwadumbo Advocates LLP  
Fatima Court, Block B  
2nd Floor,  
Suite 25, Marcus Garvey Road  
(Off Argwings Kodhek Road)  
NAIROBI  
Tel: 020 23 000 59  
Email: [office@mwadumbo.com](mailto:office@mwadumbo.com)

Filed on: 2023-06-15 15:32:42+03 - BY: Andrew & Steve Advocates - Reference: E2J7MPCY - KSH. 1000.00