



Sigano & Omollo LLP
ADVOCATES

Our Ref: SOL/MA01/002 **Your Ref:** TBA

Date: 6th October 2022

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Email: munenewanjohi@yahoo.com

Attn: Munene Wanjohi

Dear Sirs,

RE: SUSPENSION OF OFF-THE-COURSE OPERATING LICENCE NUMBER 0000448 ISSUED TO MILESTONE GAMES LIMITED

We refer to the above matter and to the Nairobi High Court Judicial Review Application No. E138 of 2022 in which we act for Asenath Wachera Maina (hereinafter "our Client") and in which you respectively act for Milestone Games Limited and Betting Control and Licensing Board. Upon instructions by our Client, we hereby address you as follows:

On 19th September 2022, the High Court (Ndungu, J) issued an order suspending the licence number **0000448** in the Judicial Review Application Number E138 of 2022, particulars whereof are well within the knowledge of your respective clients. For the avoidance of doubt, a copy of the orders duly received by your respective Clients is annexed hereto for your reference.

Milestone Games Limited has however continued to operate under the suspended licence number **0000448** in utter contempt of the said orders of the Honourable Court which have been in force to date.

TAKE NOTICE that should the contemptuous acts persist as noted above, we have peremptory instructions to lodge contempt of court proceedings against your respective Clients.

Yours faithfully,

SIGANO & OMOLLO LLP

JUSTUS OMOLLO

jomollo@soadvocates.com

Enclosure: Court Orders made on 19th September 2022 in High Court JR No. E138 of 2022

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D. M. Sigano
J. O. Omollo
C. A. Bondi

OFFICE

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

JUDICIAL REVIEW NO.....E138..... OF 2022

IN THE MATTER OF AN APPLICATION BY ASENATH WACHERA MAINA FOR
LEAVE TO APPLY FOR JUDICIAL REVIEW ORDERS OF CERTIORARI AND
PROHIBITION AGAINST THE BETTING CONTROL AND LICENSING BOARD

AND

IN THE MATTER OF THE BETTING, LOTTERIES AND GAMING ACT

AND

IN THE MATTER OF THE FAIR ADMINISTRATIVE ACTION ACT, NO. 4 OF 2015

AND

IN THE MATTER OF THE CONSTITUTION OF KENYA

BETWEEN

ASENATH WACHERA MAINAAPPLICANT

VERSUS

BETTING CONTROL AND LICENSING BOARDRESPONDENT

MILESONE GAMES LIMITED.....INTERESTED PARTY



Received
20.09.2022
[Handwritten signature]

IN CHAMBERS ON 19TH SEPTEMBER, 2022 (ELECTRONICALLY)

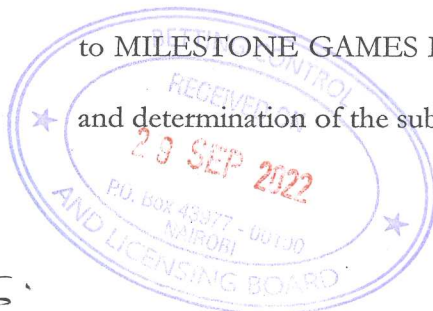
BEFORE HON. MR. JUSTICE A.K NDUNG'U

ORDER

UPON READING the Chamber Summons dated 6th September, 2022 and brought under Order 53 Rule 1 of the Civil Procedure Rules, Sections 7 & 11 of the Fair Administrative Action Act and all other enabling provisions of the Law and UPON READING the Verifying Affidavit sworn by ASENATH WACHERA MAINA sworn on 6th September, 2022 and annexures thereto;

IT IS HEREBY ORDERED: -

1. THAT leave be and is hereby granted to the Applicant to apply for the Judicial review order of certiorari removing to this Honorable Court for the purposes of being quashed the decision of the BETTING CONTROL AND LICENSING BOARD to issue the bookmarker's License Number 0000448 permitting MILESTONE GAMES LIMITED under the Betting, Lotteries and Gaming Act and the regulations thereunder to operate and trade as "Sportpesa" for the year ending 30th June, 2023.
2. THAT leave be and is hereby granted to the Applicant to apply for the Judicial review order of prohibition prohibiting the Betting Control and Licensing Board from issuing any purported license in variation, substitution, addition, akin to or identical to the bookmarker's License Number 0000448 permitting MILESTONE GAMES LIMITED under the Betting, Lotteries and Gaming Act and the regulations thereunder to operate and trade as "Sportpesa".
3. THAT leave so granted do operate as a stay of implementation and thereby suspend the operation and use of the impugned bookmarker's License Number 0000448 issued to MILESTONE GAMES LIMITED to trade as "Sportpesa" pending the hearing and determination of the substantive Judicial Review Application.



4. **THAT** the substantive motion be taken out and served within 2 days.
5. **THAT** response be filed within 7 days of service.
6. **THAT** the substantive motion shall be canvassed by way of written submissions as follows;
 - The Applicant to file within 7 days of service of response.
 - The Respondent and Interested party to file within 7 days of service of rival submissions.
7. **THAT** mention be on 24th October, 2022.

GIVEN under my Hand and Seal of this Honourable Court at Nairobi this 19th day of **September**, 2022.

ISSUED at Nairobi this^{20TH} day of^{SEPTEMBER}.....2022

hannanabba JR E138/2022
DEPUTY REGISTRAR

HGH COURT OF KENYA AT NAIROBI

JUDICIAL REVIEW DIVISION

I CERTIFY THIS IS TRUE
COPY OF THE ORIGINAL
DATED: *20/9/2022*
.....*hannanabba*.....
DEPUTY REGISTRAR
HIGH COURT OF KENYA
NAIROBI