



Desmond Odhiambo

Partner

Desmond Odhiambo is a Partner in our Dispute Resolution, Employment Law, Trusts & Estates practice areas, as well as in our Business Rescue, Restructuring & Insolvency sector.

He has extensive litigation experience as lead counsel in all the higher Kenyan courts as well as quasi judicial bodies such as the Public Procurement Administrative Review Board and the Kenya Industrial Property Institute. He is a qualified mediator and a member of the Chartered Institute of Arbitrators(MCIArb).

Practice areas


Dispute Resolution
Employment Law
Trusts & Estates

Sectors

Business Rescue, Restructuring & Insolvency

Contact Details

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Career

Desmond started as a Trainee Lawyer at Iseme, Kamau & Maema Advocates where he was later appointed as an Associate. He subsequently joined Daly & Figgis Advocates (now Daly & Inamdar Advocates) where he remained as a Partner in the Dispute Resolution practice until October 2017. Desmond joined Kieti Advocates LLP in 2017.

Experience

- Advising a large retail supermarket chain on a debt restructuring plan that culminated in a Company Voluntary Arrangement ("**CVA**") with hundreds of creditors.
- Advising a leading food services franchisee on an appropriate business rescue mechanism under the Insolvency Act 2015.
- Successfully restraining the government from demolishing an estate of luxurious apartments along the coastal line of Mombasa worth KES 2 Billion.
- Successfully defending a mortgage finance company in a claim for an alleged breach of undertaking worth KES 200 Million.
- Successfully defending a commercial bank against a claim for shares worth KES 120 Million under an Employee Share Ownership Scheme (ESOP).
- Successfully defending an international charitable organisation in a construction dispute worth KES 78 Million.

- Acting for an estate worth KES 15 Billion in a landmark succession case at the Court of Appeal on whether estoppel can override statutory provisions on inheritance.
- Advising various USAID funded projects on employment regulations, redundancies and drafting employment agreements.
- Undertaking a wide range of commercial litigation in relation to guarantees, judicial review of government actions, winding up of companies and enforcement of securities.

Publications

- Odhiambo, D., & Nyanhoga, I. (2019). *Dispute resolution in Kenya*. Retrieved from <https://www.lexology.com/library>
- Odhiambo, D., & Mutema, P. (2020). *Labour and employment*. Retrieved from <https://www.lexology.com/library>

Education

- Postgraduate Diploma in Law, Kenya School of Law & Kenyan Bar Admission
- LLB, Bachelor of Laws, University of Leeds, England

Membership

- Law Society of Kenya
- Chartered Institute of Arbitrators (MCI Arb)

Languages

English, Swahili