



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT NAIROBI

CIVIL CASE NO. 279 OF 2003

LAWRENCE NDUTTU & 156 OTHERS.....PLAINTIFFS

- V E R S U S -

KENYA BREWERIES LTD..... DEFENDANT

JUDGEMENT

1) The plaintiffs, numbering 157 filed this representative suit on their behalf and on behalf of former employees of Kenya Breweries Ltd, the defendant herein, whose terms and conditions of employment were governed by a memorandum of agreement dated 5th December 1997 and 29th July 1999 and whose contract of employment were affected by the defendant's re-engineering process which began in 1994. The aforesaid action is by way of the Further Amended plaint dated 2/12/2015 where the plaintiffs sought for judgement as follows:

- a) A declaration that decision to cause their early retirement was unlawful and breached Section 80 and 82 of the Constitution and was wrongful and a nullity.*
- b) A declaration that the defendant's action to cause early retirement of the plaintiffs was unlawful and unfair and amounted to breach of the plaintiffs, contracts of employment.*
- c) A declaration that the defendant's calculation of the plaintiffs' terminal benefits were wrong, arbitrary and they helped the defendant to withhold huge sums due to the plaintiffs.*
- d) An order that the defendant should pay all the plaintiffs all the outstanding dues and salaries until their retirement age at sixty years.*
- e) An order that the defendant do supply to the plaintiffs and each of them audited statement of account detailing their dues.*
- f) An order that the plaintiffs and each of them be paid all outstanding dues and other consequential entitlements pursuant to prayer (b) above.*
- g) AND or alternatively, general damages for loss of employment being 12 months salary for each and every plaintiff.*
- h) Costs of (b) and (c) with interest covers at court rates.*

2) The defendant on its part, filed a defence dated 8th May 2018, and amended on 12.11.2008 and further amended 6.1.2016 in which it denied violating the plaintiffs' constitutional or other rights. The defendant also stated that the redundancies were declared in accordance with the applicable Labour and Employment laws. The defendant further averred that the plaintiffs' termination was lawful and that they were paid their dues.

3) When the suit came up for hearing, the plaintiffs summoned James Sibili (P.W.1), Michael Kimonyi (P.W.2) and Lawrence Kyalo Ndutu (P.W.3) to testify in support of their case. The defendant on the other hand summoned one Evans Kipngetch Mutai (D.W.1) to testify in support of its defence.

4) It is the evidence of James Sibili (PW1) that he together with Michael Kimonyi (P.W.2) and Albanus Ngwiri were appointed to represent over 820 former employees of Kenya Breweries Ltd in this suit. PW1 adopted the contents of his witness statement as his evidence in this suit. He claimed that he together with his colleagues were unfairly sacked by the defendant in contravention of the law through a flawed process known as Early Retirement Scheme which begun in 1994. PW1 further stated that the process for early retirement had conditionalities. PW1 also stated that he did not opt for retirement but he was nevertheless issued with an early retirement letter on 15.6.1998. P.W.1 further stated that they were retired in breach of the memorandum of agreement between their union and the defendant. Under the aforesaid agreement, the circumstances under which an employee can be retired and or sacked are specified. P.W.1 further pointed out that under Clauses 25 and 27 of the memorandum of agreement, the employer was allowed to terminate an employee from employment if the employer is making losses by declaring such an employee redundant. The witness also stated that the defendant begun the process of what it called re-engineering without consulting them nor their union. It was pointed out by PW1 that at no time did the defendant make losses, therefore it was not justified to force them into early retirement. It is the evidence of P.W.1 that he proceeded for leave when he received the letter requiring him to take early retirement. He said that when he came back from the forced leave he was issued with a letter showing him his exit package. P.W.1 alleged that the package was prepared by the defendant without prior consultation. He said that the decision to terminate his services took away his expectation to work until retirement. He stated that he together with his colleagues were not given a chance to explain themselves out before being declared redundant. P.W.1 further alleged that the defendant employed new employees to replace those who were unlawfully forced to take early retirement and or declared redundant like him. P.W.1 averred that he was claiming for a refund of ksh.50,000/=, an amount which was retained by the defendant when he was forced to leave the defendant's employment. P.W.1 also pointed that there was a schedule showing what was due to each employee as a refund. In his evidence in cross-examination, P.W.1 stated that his contract of employment was based on the memorandum of agreement between their union and their employer, the defendant herein. He also averred that whatever agreement reached between the union and the employer bound them. P.W.1 conceded in cross-examination that they had no evidence that the defendant employed new employees after they were retired. P.W.1 also stated that though he had alleged that the defendant discriminated him he had no evidence to prove the allegation levelled against the defendant.

5) Michael Kimonyi (P.W.2) adopted the contents of the witness statement he executed as his evidence. He stated that he worked at the security section having been employed at the age of 24 years. PW2 claimed that he was forced by the defendant to take up early retirement after working for only 9 years vide a letter dated 17.8.1999. He alleged that he has never been paid the money the defendant deducted and retained after he left employment. P.W.2 claimed that there was no clause in the contract of employment which provides an early retirement. He also alleged that the defendant employed new employees after retiring them. PW2 stated in cross-examination that he was actually paid ksh.50,000/= but others were not paid. PW2 re-affirmed in his evidence in re-examination that there were no sufficient consultation before the implementation of the early retirement scheme.

6) Lawrence Kyalo Ndutu (P.W.3) also adopted the contents of his witness statement as his evidence in support of his claim and those plaintiffs whom he represented. In cross-examination P.W.3 stated that there was a memorandum of agreement between the union and the defendant which gave rise to the joint Industrial Council where he was a member. P.W.3 pointed out that the memorandum of agreement set out the amounts payable to him. P.W.3 conceded that he was paid the amount specified. P.W.3 also

stated that the memorandum of agreement indicated that he was to receive computation from the financial accountant which he received but was not paid as was computed therein. P.W.3 was emphatic that the defendant has not paid all the amounts due the plaintiffs.

7) In support of the defence case is the evidence of Evans Kipngetchi Mutai (D.W.1) the defendant's Human Resource Director. D.W.1 adopted the contents of his witness statement as his evidence. He stated that the memorandum of understanding between the defendant and the union was to determine the wages, hours of work and the conditions of employment of unionisable workers. D.W.1 stated that in the year 1997 the defendant underwent a re-engineering process in which a radical review of business to cut costs and improve efficiency by automation. This exercise, D.W. 1 said led to the closure of the defendant's Mombasa and Kisumu plants. D.W.1 stated the employees were allowed to opt for early retirement. This witness denied the allegation that the plaintiffs were discriminated. D.W.1 stated that there was an agreement between plaintiffs' union and the defendant that the defendant would retain ksh.100,000/= to cover debts and or liabilities due to the defendant or Tembo Cooperative. In cross-examination, D.W.1 stated that the retirement age was set at 60 years. He also stated that the defendant came up with the idea of Voluntary Early Retirement before attaining the age of 60 years. DW1 stated that employees would write to the defendant requesting to take an early retirement. It is the evidence of D.W.1 that the document used to operationalise the early retirement scheme had given the defendant the discretion to reject or accept such requests. DW1 stated that the defendant reviewed its business and found that it had excess employees who needed to be of loaded having invested heavily in technology to improve efficiency. He stated that the Unions were engaged to set up the terms of redundancies and the defendant settled for redundancy and abandoned the Voluntary Early Retirement Scheme. D.W. 1 further stated that the defendant undertook what it called re-engineering to reduce costs of production and improve efficiency.

8) D.W. 1 claimed that there was a joint industrial council who met and agreed on Voluntary Early Retirement Scheme but he failed to tender in evidence the minutes of council meetings held. D.W.1 also stated that part of the initial payments were retained by the defendant. As for management employees, a sum of ksh.100,000/= was retained while a sum of kshs.50,000/= was retained in respect of unionisable staff. In his evidence in re-examination, D.W1 stated that there was an early retirement package which was voluntary but the same was subsequently there was termination which was not voluntary. D.W.1 denied that the calculations of the exit package were arbitrary. He stated that the defendant used the Kenya Revenue Authority tax calculation guidelines to employers to tabulate what was due to the employees leaving.

9) At the close of evidence, parties were invited to file and exchange written submission. Learned counsels appearing in the matter were also allowed to make oral highlights. Having considered the evidence together with the rival submissions, the following issues commend themselves for the determination of this court.

i) Whether or not the early retirement scheme was carried out in contravention of the constitution and the existing contracts of employment.

ii) Whether or not the plaintiffs are entitled to a refund of the monies allegedly withheld by the defendant.

iii) Whether or not the plaintiffs are entitled to be paid their salaries upto the date of retirement.

iv) Whether or not the plaintiffs are entitled to general damages for loss of employment.

v) Whether or not the terminal benefits claimed by the plaintiffs are properly computed.

10) On the first issue, it is the submission of the plaintiffs that defendant developed a voluntary early retirement scheme in which any employee who desired early retirement had to fill a given form and present it for consideration by the management and there was no guarantee that the request would be accepted by the employer. It was pointed out that some of the conditions which were to be fulfilled

before an employee could be allowed to take up a voluntary early retirement included inter alia poor or low productivity, poor disciplinary record, poor health and that one should have attained the age of 50 years. It is also the submission of the plaintiffs that employees who were aged above 50 years would earn his/her salary upto the retirement age of 60 years. The plaintiffs have pointed out that the Voluntary Early Retirement Scheme did not achieve the desired results of getting many employees retire from their service. It is further the submission of the plaintiffs that without consulting their union the defendant unilaterally crafted a scheme to send home a number of employees. It is said that the defendant would send an employee on compulsory leave and upon his/her return, he/she would be issued with a letter of early retirement, letter of service and a schedule of computation of his/her dues and thereafter the employee would be asked to sign documents to clear and leave the company premises. The plaintiffs referred to this latter scheme as Unilateral Forced Early Retirement Scheme. In response to the plaintiffs' submissions, the defendant argued that the plaintiffs' union was consulted and made aware of the intended implementation of the voluntary early retirement scheme. The defendant relied in evidence minutes of a meeting of the Joint Industrial Council held on 11.08.2000. The defendant further stated that in implementing the early retirement scheme it did not discriminate against any employee. The defendant further denied breaching Sections 80 and 82 of the 1963 constitution. It also denied breaching the terms of the memorandum of understanding entered between it and the plaintiffs' union. I have carefully examined the minutes heavily relied upon by the defendant in respect of the meeting which took place on 11th August 2000. It is apparent that the early retirement scheme took place between the year 1997 and 2001. The minutes relied upon are in respect of a meeting of Joint Industrial Council meeting held on 11.8.2000. It is evident that the early retirement scheme was done more than three(3) years before the consultative meeting was held. The defendant did not tender minutes of any meetings held between the defendant and the plaintiffs' union prior to the commencement of the forced early retirement scheme. A critical examination of the minutes tendered by the defendant will show that the union had clearly stated that it had never been party to the forced early retirement scheme. In fact, the union clearly stated that the defendant had turned the initial voluntary retirement scheme to forced early retirement. After a careful evaluation of the evidence, I am convinced that the plaintiffs have shown that they were forced to take an early retirement without being consulted nor the participation of their union. The initial scheme was voluntary but the same was later forced through the plaintiffs throats. The documentary evidence presented by both sides show that the plaintiffs' were employed by the defendant on permanent and pensionable terms and were each expected to retire at the age of 60 years. The plaintiffs have complained that their rights as enshrined under Sections 80 and 82 of the constitution (now repealed). The defendant has argued that the plaintiffs have failed to tender evidence showing that they were discriminated in the implementation of the early retirement schemes. It has emerged from the evidence tendered that though there was no open discrimination against the plaintiffs, it was not clear what criteria was applied in identifying those to take up early retirement. In the absence of a clear explanation, this court is entitled to infer that there was subtle discrimination as against the plaintiffs vis-a-vis those who remained in employment. The plaintiffs have also argued that their right to fair labour practices guaranteed under Article 41 of the Constitution of Kenya, 2010 were breached. In response to this submission, the defendant cited the case of **Alfred Asidaga Mulima and 2 others vs= Attorney General and 8 others, Nairobi C.A no. 179 of 2015** in which the Court of Appeal held *inter alia*, that a court cannot enforce rights created under the new constitution unless those rights were recognised and protected under the previous constitution. With respect, I agree with the defendant's latest submission. In the circumstances this court by inference finds that the plaintiffs' right to protection from discrimination under Sections 80 and 82 of the Constitution of Kenya (now repealed) was breached.

11) The other question which is related to the above is whether the implementation of the early retirement scheme was in breach of the contract of employment between the plaintiffs and the defendant. The plaintiffs have argued that the letters sending them home for early retirement cannot be treated as redundancies. They are of the view that the same were unilateral forced early retirement scheme.

12) The defendant on the other hand is of the view that as unionisable employees, the plaintiffs' terms of employment as per the memorandum of understanding provided for a declaration of redundancies described as loss of employment through no fault of the employee concerned. This court was urged to find that the early retirement scheme was redundancy as defined in the memorandum and the labour laws. The plaintiffs are of the view that the defendant was not justified to declare redundancies because

no losses were declared and that the re-engineering process served no other purpose but was meant to increase profitability. The defendant was of the submission that as an employer it was permitted by law to declare a redundancy if the employer decides to reorganize its business to run more efficiently and profitably.

13) I have carefully perused the Collective Bargaining Agreement (CBA) executed between the defendant and the plaintiffs' union, the Kenya Union of Commercial Food and Allied Workers (KUCFAW) and the contract of employment. In the aforesaid documents, there is no mention of an early retirement scheme. There is no doubt that the early retirement scheme was a creation of the defendant. It has already been stated that the scheme was meant to be voluntary in the initial states. The plaintiff beseeched this court to treat the early retirement scheme as a form of redundancy. It is not in dispute in the C.B.A and in the contract of employment redundancy is stated to be one of the methodology in which an employees' employment could be brought to an end. It is expressly stated that redundancy should be with clearly laid down procedures. The C.B.A and the labour laws are very clear on what conditions must met for redundancy to be applied. First, it must be justified and proven that there is need to reduce the number of employees in order to save the employer from collapse. Secondly, that the redundancy process and package must be negotiated and explained in advance to the persons affected. Thirdly, that there must be a clear criterion as to which employee would exit and why must be laid down. In this case the defendant failed to produce its annual statement of account to show its financial status despite having been served with a notice to produce by the plaintiffs. The plaintiffs' assertion that the defendant was then and has continued to-date on an upward profitability trend remains uncontroverted. There is no evidence that the process was negotiated by the employees affected. In the absence of the above mentioned features, it cannot be said the defendant's early retirement scheme can be treated as redundancy. With respect, I am convinced that the plaintiffs were justified to plead that the defendant's scheme was left at the whims of sectional head and was imbued with extreme favourism and discrimination. The plaintiffs were therefore right to claim discrimination since there were no guidelines to justify why they were retired while others of similar qualifications were left to continue to work. It is clear in my mind that the plaintiffs were removed from employment whimsically and without following the laid down labour laws and procedures. Consequently, the plaintiffs' termination and or dismissal is declared to be unlawful and therefore the plaintiffs are entitled to be compensated.

14) The second issue to be determined is whether or not the plaintiffs are entitled to be refunded monies withheld by the defendants. It is the submission of the defendant that the plaintiffs are not entitled to be refunded the aforesaid sum because the plaintiffs failed to specifically plead and prove save for the two plaintiffs who testified. The defendant further argued that most of the plaintiffs were paid back the refund after it was established that they did not owe the company money. The defendant also argued that the claim was not similar to each plaintiff. The defendant further pointed out that the schedules of payments prepared by the learned advocates were never admitted as exhibits in evidence. The defendant also argued that it has set up the defence which is to the effect that the claim for a refund is time-barred therefore the claim for ksh.20,775,152/= is not justified. The plaintiffs have beseeched this court to order the defendant to refund the monies it withheld as security. It is pointed out that the defendant has admitted having deducted the aforementioned amounts from the plaintiffs. The plaintiffs have urged this court to order the defendant to pay the claim as per the schedules provided by two firms of advocates. I have considered the evidence provided by both sides plus the submissions over this claim. There is no doubt that this claim was pleaded in the plaint. The plea may not have been precise due to the numerous number of plaintiffs. It is not in dispute that three plaintiffs testified on behalf of the rest of the plaintiffs and this is not unusual in representative suits like in this case. The defendant has stated that the claim is timebarred. It is unfortunate that the defendant has failed to lay both the factual and legal basis of this ground but it has instead made a general submission which did not help its defence. Both the plaintiffs and the defendant concur that the defendant retained from each employee either a sum of ksh.50,000/= or ksh.100,000/= as security for the defendant company liabilities. The plaintiffs provided a full list of names and amounts of refunds due to each plaintiff. I have already stated that defendant has stated that the amounts were repaid to the plaintiffs. The defendant summoned its Human Resource Manager, (DW1), to testify in its defence. Unfortunately, DW1 did not produce in evidence any documents or form of evidence to prove reimbursement or repayment of the amount withheld. The plaintiffs produced in court in compliance with this court's directive two lists of claimants and the pay off schedules to confirm

the deductions. The schedule filed by the firm of Namada and Co. Advocates dated 11th day of May 2016 shows that the defendant has withheld a sum of ksh.20,775,152 in respect of the plaintiffs whom the aforesaid firm represents. This document has guided this court to ascertain the amount withheld and not repaid by the defendant. The defendant has not controverted the schedule. It cannot therefore lie in its mouth to deny the same. There is no reason why the plaintiffs should not be paid this claim. Consequently the plaintiffs who are show in the schedule prepared by the firm of Namada & Co. Advocates dated 11.05.2016 should be paid a sum of ksh.20,775,144/= as shown in the aforesaid list as follows:

NAMADA & CO. ADVOCATES - SCHEDULE OF PAYMENT

NO.	NAME	DATE OF TERMINATION	AMOUNT PAID	AMOUNT TAXED OFF	AMOUNT WITHHELD
1.	URBANUS NGWILI	02/12/1997			
2.	MICHAEL KIMUNYI	17/8/1999	175,226/=	66,830/=	100,000/=
3.	JAMES SIBILI	15/6/1999	260,611/=	50,121/=	50,000/=
4.	SOPHIA WAMBUI	18/02/1999	570,743/=	69,321/=	
5.	ZACHARIA KATEE	15/09/2001	1,051,722/=	145,144/=	50,000/=
6.	REUBEN NOKATA	19/10/1998	661,578/=	95,667/=	
7.	JAMES NJOROGE	15/05/1998	370,291/=	65,717/=	15,000/=
8.	JOHN NJENDU KIRUBI	25/04/2003	649,432/=	183,216/=	50,000/=
9.	MICHAEL THINWA KIBUI	01/07/2000	318,104/=	58,573/=	50,000/=
10.	PETER KAGIKA MUTURI	03/04/1998	688,238/=	92,522/=	100,000/=
11.	ATHUMANI OMARI	31/12/1997	584,889/=		
12.	PAUL GATHUKU	15/05/1998	166,148/=	23,743/=	50,000/=
13.					
14.	MOHAMMED SAID ALI	18/06/1998	166,148/=	23,743/=	50,000/=
15.	MATHIAS MUIA MWANTHI	17/08/1999	104,663/=	51,880/=	
16.	HELLEN MWELU JOSEPH	15/05/1998	61,702/=	7,205/=	
17.	TOM SILA MULUNDI	18/06/1998	574,890/=		

18.	WELLINGTON OKUYUMBA	CHAPIA	18/06/1998	494,950/=	72,388/=	50,000/=
19.	HANNAH WANJIRU	WAITHIRA	15/05/1998	414,429/=	48,107/=	50,000/=
20.	JAMES MUTHUI	MUSUNZA	18/02/1998	198,656/=	36,083/=	50,000/=
21.	DAVID WANJOHI	NDEGWA	18/06/1998	60,343/=	5,888/=	50,000/=
22.	JOSEPH TIOYANGA	MELAU	18/02/1998			
23.	HENRY MBITI MULU		18/06/1998			
24.	SAMMY SIMILA	MADESHE	31/10/1999	451,385	59,261	
25.	JULIUS THEURI WARIGU		21/06/2000	218,507/=	49,352/=	148/=
26.	MARY NINGA KAMAU		15/05/1998	515,026/=	65,469/=	50,000/=
27.	BENEDICT KATUKU	MUTIE	15/09/2001	1,038,820/=	290/=	
				7,796,501/=	1,270,520/=	765,148/=
28.	HEZRON KABURU BORO		12/07/2000			
29.	JOAN WAIRIMU KIGO		JUNE 1998	640,445/=	80,306/=	100,000/=
30.	DISHON NJOROGE	MAINA	01/07/2000	94,999/=	36,125/=	100,000/=
31.	STEPHEN KIMEMIA	GITAU	18/02/1998	771,694/=	178,456/=	50,000/=
32.	GAKWIL ERANA					
33.	CHARLES GITAGIA	MBUTIA	18/06/1998	195,966/=	26,660/=	25,000/=
34.	MICAH HOSEA AYIECHA		22/04/1998	1,050,221/=	300,333/=	54,909/=
35.	PAUL WAHINGA	KARIUKI	26/03/1998	130,625/=	22,507/=	72,000/=
36.	ROSINA TALASI MUIंगा		15/05/1998	188,078/=	19,626/=	50,000/=
37.	JOHN	MACHARIA	31/03/1998			

	MWARARI				
38.	JOEL MUTISYA MUINDE	28/06/1995	654,369/=		
39.	JOHN MUNGAI NG'ETHE	31/05/1998	271,837/=	38,787/=	50,000/=
40.	ESHMAEL NG'ETHE MUNGAI	31/07/1996	1,178,854/=	551,782/=	
41.	BENSON BENARD MULAMA MUSONGA	10/07/1998	255,002/=	26,210/=	100,000/=
42.	SIMON MUNYUA KAMANO	21/06/2000	426,148/=	80,151/=	50,000/=
43.	BENARD ANJIRI MAKANGA	17/08/1999	101,918/=	24,135/=	100,000/=
44.	JOSEPH WAMBUGU WAHOME	26/10/2000			
45.	RICHARD NGAO	18/06/1998	1,165,897/=	141,715/=	100,000/=
46.	JAMES MUKUNDI GATHARA	20/08/2002	3,759,951/=	964,401/=	50,000/=
47.	HARUN ISMAIL SEBIT	30/04/1998			
48.	ABDUL ABDALLA MOHAMMED	22/04/1998	354,837/=	66,752/=	21,000/=
49.	DAVID MUTHAMA NDUNDA	31/03/1998	268,381/=	34,740/=	
50.	SEPHEN MWANGI KIAMA	17/08/1999	317,666/=	66,919/=	100,000/=
51.	PAUL JACKTON MALOBA	01/07/1998	215,798/=		
52.	MOHAMMED ABDULLAH KASIGARA	31/12/1995			
53.	EZEKIEL TOCHI MBINDI	10/12/1999	1,131,651/=	154,354/=	
54.	PETER MULI NYALA	30/06/1998	716,106/=	148,273/=	50,000/=
55.	JAMES WACHIRA NJAU	18/02/1998	1,117,400/=	190,250/=	50,000/=
56.	DANIEL KIHICO KIMANI	19/05/1998	623,148/=		50,000/=
57.	ALEX CHEGE MWANGI	27/07/1998			

			15,630,991/=	3,152,482/=	1,172,909/=
58.	CHARLES KIVATI NGAU	18/02/1998	838,597/=	125,227/=	50,000/=
59.	PETER OCHIENG OTHIAMBO	17/08/1999	295,235/=	61,896/=	100,000/=
60.	NAPOLEON KAMAU NATHAN	12/05/1995			
61.	JAMES MUTURA WAIGWE	10/05/1995	371,865/=		
62.	ABUDU JUMA WAZIRI	31/12/1997	455,454/=	65,133/=	100,000/=
63.	PETER NDEGWA MUNENE	31/03/1998	211,540/=	61,416/=	
64.	CLEMENT NDUNGU NJUNGE	31/10/1994	492,282/=		
65.	JOSHUA NGAHU GILBERT	11/03/1998	458,798/=	69,072/=	50,000/=
66.	SALIM ISMAIL IBRAHIM	30/04/1998	1,083,948/=	227,679/=	50,000/=
67.	MARK ABUOGA MUKOYA	01/05/1998	1,488,533/=	228,034/=	50,000/=
68.	LAIRD SAMUEL MUSHIMBA	15/09/2001	231,077/=	76,377/=	50,000/=
69.	ANN WANJIRU MWANGI	15/05/1998	625,783/=	83,821/=	50,000/=
70.	GODFREY WANGIGE GITHUI	18/06/1998	1,252,685/=	295,941/=	10,000/=
71.	GEORGE NYAMARURU GWONDA	06/09/1999	588,429/=	112,173/=	100,000/=
72.	FRED KIARIE MAINA	18/02/1998	762,170/=	107,624/=	50,000/=
73.	LEWIS WAMBUGU MUGO	31/08/1999	846,797/=	147,013/=	
74.	FRANCIS NYARARA NGUGI	31/03/1998	430,867/=	85,286/=	50,000/=
75.	FRED OSOKO NYASAE	19/01/1998			
76.	JACKSON NULI NZAU	30/06/1996	1,202,654/=		
77.	GEORGE MITHEKO KANTI	15/03/1998	1,372,500/=	625,008/=	50,000/=

78.	JOSEPH ONDURU ODUOR	18/06/1999			
79.	EDWARD MWAURA GACHIE	18/06/1998	50,000/=	34,788/=	
80.	JOEL MURIU KAMAU	31/10/2003	3,177,519/=	1,023,555/=	100,000/=
81.	JEREMIAH RAMBIKI MACHINI	30/06/1998	984,531/=	245,252/=	50,000/=
82.	ERASTUS KARAGO	29/04/1998	457,989/=		
83.	JOHN WABUGA KANGETHE	30/04/1998	561,161/=	79,759/=	50,000/=
84.	WYCLIFF WELINGA KHAYO	06/09/1999			
85.	STEPHEN NJENGA KAHUKU	31/03/1998	113,104/=	29,275/=	
86.	PETER KIRUKU	30/11/2003	809,602/=	429,699/=	50,000/=
87.	JAIRO OKUMU ONYANGOP	12/10/2001			
88.	JOHN KAMAU	18/06/1998	885,154/=	175,358/=	50,000/=
89.	GEOFFREY NJOROGE	03/12/1997			
90.	GEORGE MUNYUA	13/04/1998	181,380/=	250,000/=	50,000/=
			20,229,654/=	4,653,386/=	1,110,000/=
91.	RAYMOND GACHOMBA	21/06/2000	304,632/=	95,262/=	
92.	CHARLES WAMBUGU MANGI	25/04/1996			
93.	JOSEPH OLOO	26/03/1998			
94.	JOSEPH KABOGO KARANJA	31/10/2003	567,224/=	305,700/=	
95.	FRANCIS OMONDI OBURE	24/05/1999	196,633/=	28,537/=	50,000/=
96.	REGINALD NGANGA JAMES	18/06/1998	588,141/=	146,701/=	50,000/=

97.	STEPHEN WAMBURA NJAU	31/03/1998	691,634/=	110,611/=	50,000/=
98.	MATHEW GICHUHI KIRAGO	26/06/1996			
99.	TONKEI OLE MAPI	31/03/1998	516,620/=	81,230/=	10,000/=
100	JOSEPH MUTINDA	22/04/1998	186,800/=	33,147/=	50,000/=
101	BENARD MWILOLO MWILOLO	27/06/1995	1,104,412		50,000/=
102	JOYCE NYAWIRA	28/08/1998	570,619/=	94,995/=	50,000/=
103	LYDIA MWANGI	15/05/1998	63,590/=	11,652/=	
104	BONIFACE NGUI KIOKO	15/09/2001	1,287,489/=	197,264/=	50,000/=
105	BENJAMIN MUTISYA	22/04/1998	637,099/=	140,315/=	50,000/=
106	GRACE LILIAN ATHIANY	02/12/1997			
107	PETER KIRUMA	19/05/2000			
108	GEORGE CHARLES KIMOLO	17/08/1999	589,372/=	98,570/=	100,000/=
109	JOHN MATHINI MWAURA	25/06/1998			
110	DAVID WACHIRA NDUNGU	31/03/1998	73,512/=	13,478/=	50,000/=
111	JAMES BEDAN KIGO	31/12/1998			
112	ANTONY KIOKO	31/01/1998	1,067,107/=	179,425/=	50,000/=
113	MOSES NJERU MURIUKI	21/06/2000			
114	MOHAMOOD HAMZA GITAU	30/11/1995			
115	MAINGI MUNGAI KAGIRI	17/07/2000	661,101/=	182,026/=	75/=
116	DAVID MWANGANG MASYA	31/12/1997	270,613/=	17,668/=	50,000/=
117	JOSEPH MBOGO MURAGURI	06/09/1999	758,881/=	136,438/=	50,000/=
118	MBUGUA KIMATU	26/04/1995	458,645/=		

	MBUGUA				
119	MOSES KURIA MWANGI	18/02/198	1,037,906/=	235,641/=	50,000/=
120	JOHN RASAKI OYENG	06/09/1999	644,195/=	79,901/=	50,000/=
121	JOSEPH KIMANI	19/10/1998			
122	JOSEPH MWANIKI	27/06/1995	481,897/=	130,371/=	100,000/=
123	HERMAN NJOROGE	22/04/1998	567,788/=	123,624/=	50,000/=
124	DAVID KIMWELE	15/09/2001	450,239/=	116,799/=	
			13,776,059/=	2,559,355/=	960,075/=
125	PETER MUSESI MYSYOKA	30/06/1996			
126	MICHAEL NJOROGE KAMAU	05/07/2000	892,377/=	161,452/=	100,000/=
127	EDWIN RAGAK AWILI	31/10/1998	758,694/=		
128	CALEB OPUKA	25/07/2000	503,328/=	118,886/=	22,198/=
129	JANUARY KAKUI	02/12/1997	245,971/=	27,072/=	
130	ONESMUS KIRAGU	22/04/1998	720,254/=		
131	CHRISTOPHER MWANGI NGOBU				
132	GABRIEL NDUNGU	18/02/1998	197,048/=	34,867/=	50,000/=
133	JAMES NGANDU				
134	JULIUS NDUNI	22/04/1998	322,902/=	35,425/=	50,000/=
135	SAMUEL MWANJI MBUGUA	03/10/2003	1,529,969/=	702,256/=	
136	ZACHARIA KABIRU	22/04/1998	619,285/=	93,476/=	50,000/=
137	EDWARD NDEGWA	31/08/1998	2,220,330/=	537,356/=	
138	J. T. NANDIE	31/12/1997	820,518/=		
139	MWANIKI MUTUNGA NGULA	31/12/1997			

140	MICHAEL NDUTA	19/01/1998	917,485/=	116,351/=	50,000/=
141	JONATHAN NDOLO	31/05/1998	1,230,181/=	314,455/=	50,000/-
142	HARRISON S. MWIKYA	15/05/1998	119,846/=	18,427/=	50,000/=
143	STANLEY M. MWAURA	24/05/199	1,255,215/=	317,343/=	8,330/=
144	JOHN M. NJOROGE	31/10/1994	367,974/=		
145	JOHN NJOROGE GAKURU	03/04/1998	1,236,633/=	245,968/=	
146	CATHERINE WANJIKU KIMANI	24/06/1998	235,569/=	48,654/=	50,000/=
147	PHYLIS WAMBUI	26/04/1995			
148	RICHARD MURIITHI KARIUKI	30/06/1996	844,895/=		
149	DONALD OWINO OKELLO	18/02/1998			
150	ELIEZER ONCHIEKU	22/05/1998	1,257,726/=	153,399/=	50,000/=
151	STEPHEN N. KALII	10/03/1996	985,911/=		
152	DAVID WAWERU KARIUKI	31/07/1999	699,789/=		
153	NANCY E. NYAGA	22/04/1998	11,812/=	16,702/=	
154	ROSEMARY WANJIKU NJOROGE	14/03/1998	153,596/=		
155	JAMES KANGETHE NDAI	31/10/1994			
			18,147,008/=	2,942,125/=	530,528/=
156	JAMES KIHICI KARIUKI	24/06/1998	154,789/=	20,103/=	50,000/=
157	GEORGE MBUGUA NJINO	31/03/1987	346,136/=	75,080/=	
158	ZACKAYO NGIMEI NDUATI	31/03/1998			
159	ERNEST GAKERO NDIRANGU				
160	GEOFFREY MBURU MUNGAI		357,115/=	63,139/=	

161	FELIX KIARIE MWANGI	18/02/1998	1,357,657/=	311,749/=	100,000/=
162	JOHN NJOGU GITONGA				
163	DAVID KIGURU MWANGI	18/02/1998	443,089/=	73,917/=	50,000/=
164	BERNARD MBETU	30/04/1998	1,050,188/=		
165	JOSEPH KEYA	18/06/1998	37,877/=	10,507/=	
166	PETER MAINA KAMAU	31/01/1998	558,630/=	81,876/=	50,000/=
167	FRANCIS K. NUGUNA	15/05/1998	927,936/=	134,036/=	
168	JULIUS WANYIRI NGUNJIRI	18/02/1998			100,000/=
169	EDWARD KAMWANA KARIUKI	31/03/1998	1,271,784/=		
170	JOHN NJOROGE MBAGO	18/06/1998	341,882/=	80,784/=	17,700/=
171	SIMON RUTTOH	31/07/1998	387,796/=	27,763/=	50,000/=
172	ROBERT M. MUTUNGA	17/02/2006	1,096,973/=		
173	ELIUD GITAU CHOMBA	30/06/1998	190,154/=	18,783/=	50,000/=
174	KITHUKA KIOKO	25/04/1995	391,779/=		
175	SOLOMON MUTISYA	15/09/2001	473,790/=	127,587/=	100,000/=
176	WILSON MUTUNE MUTUA	30/06/1998			
177	CHARLES WATHIGA	31/10/1998	1,002,489/=	144,056/=	50,000/=
178	MARCUS MURUBE	31/03/1998			
179	JAMES GITAU	18/06/1998	1,237,574/=		
180	JAMES MWANGI THUO	18/02/1998	2,553,840/=	82,277/=	50,000/=
181	LAWRENCE KUBURENDI M.	31/10/1998	751,217/=		
182	JOSEPH MWANGI KIMANI				
183	GEOFFREY K. MUCHEKE	18/06/1998	669,173/=	77,672/=	50,000/=
184	KEFFARS KARIUKI	30/09/1998	372,756/=		

	KAGUANYU				
185	SAMMY MWANGI	18/02/1998			
186	NANCY MWANGI	15/05/1998	294,725/=	26,912/=	
187	DANIEL MAINA RUTUNU	31/07/1999	154,181/=	41,182/=	
188	ANN KAMBA	30/06/199			
			16,423,530/=	1,397,423/=	717,700/=
189	SAMUEL MUCHIRI MUIRURI	31/12/1997	264,144/=	26,093/=	100,000/=
190	BENSON IRUNGU MWANGI		1,947,067/=	285,158/=	100,000/=
191	JULIUS KARIUKI	02/12/1997	204,648/=	27,072/=	
192	JAMES N. KIRANGI	30/10/1998			
193	EDWIN KABUI KAHARA	31/10/1998	587,770/=	86,776/=	50,000/=
194	EUNICE WANJUGU KAHUIRIA	FEB. 1998	778,885/=	166,348/=	50,000/=
195	EDWARD N, KAIRU	25/04/1998	420,518/=		
196	JOSEPH M. NTHENGE	21/06/2000	406,638/=	80,638/=	50,000/=
197	MUEMA DANIEL	22/01/1998	206,000/=	33,147/=	50,000/=
198	NZIOKA WAMBUA	18/02/1998	1,119,592/=	213,583/=	50,000/=
199	PATRICK N. NDUNDA	22/04/1998	1,182,483/=	251,122/=	50,000/=
200	JONES KISANI NGULI	15/06/1999	269,603/=	51,845/=	
201	FRANCIS MATHEKA MULWA	11/05/1995	604,884/=		
202	DOMINIC NDERO	29/13/1996			
203	GEORGE NUANDIKO KATHISYA	26/03/1998			
204	TOM KABITI VENGE	30/03/1998	1,319,207/=		
205	ROBINSON NDUNGU	30/06/1998	1,134,231/=	170,182/=	50,000/=

	NGUGI				
206	AUGUSTINE MUTEMI	30/06/1998	179,072/=	19,489/=	
207	GEORGE MUIA MUISYA	27/09/1999	169,374/=	25,823/=	100,000/=
208	EVAN NJURI NGANGIRA	09/07/1998	709,130/=	122,624/=	
209	JOHN NGUGI WANJAU	31/03/1998	434,689/=		10,400/=
210	MUSA MBONGO	31/03/1996	890,489/=	229,035/=	10,000/=
211	DUNCAN MWANZIA		80,733/=		
212	DAVID NGUGI				
213	PETRONILLA WANJIRU	25/04/1996	662,952/=	171,872/=	
214	JOSEPH MATATA MUTUA	10/03/1996	595,706/=		
215	KADOGO PASCAL	04/06/1998	871,781/=	117,730/=	100,000/=
216	PATRICK KIBUNJA NDUNGU	18/06/1998	134,334/=	17,738/=	
217	MOSES MWIKYA LELU	18/02/1998	1,778,535/=		
218	EVANS MUROKO MITHAMO	03/12/1997	500,519/=		
219	FRANCIS K. MACHARIA	31/10/1994	629,413/=		
220	STEPHEN GITAU KIMANI	09/09/1998	148,083/=	46,029/=	50,000/=
221	JOSEPH KINYANJUI	22/04/1998	858,603/=	125,280/=	50,000/=
			19,089,083/=	2,267,839/=	920,400/=
222	LABAN GICHARA NJOROGE	28/06/1995	920,177/=		
223	JOHN KARANI JURIUKI	01/03/1998	840,040/=	111,611/=	50,000/=
224	JAMES MURIU GICHARU	30/06/1996	932,000/=		
225	STEPHEN WANGOMBE THEURI	15/12/2003			
226	NGUGI KIRAGU	18/06/1998	202,832/=	50,317/=	50,000/=
227	JULIUS N. MULI	31/10/1998	669,330/=	109,278/=	50,000/=

228	STEPHEN MUGO	31/12/1997	741,028/=	138,103/=	50,000/=
229	JAMES MUTHIMA MATHENTE	30/06/1998			
230	ABDALLA A. KIBARABARA	02/12/1997	154,220/=	27,072/=	
231	JOHN MUSERU WATAKO	18/02/1998	1,065,643/=	148,010/=	
232	BENJAMIN KAVOI MWIKYA		1,284,767/=	368,749/=	
233	SAMUEL MUNENE KAGUGANI	31/03/1998	424,524/=	101,888/=	100,000/=
234	BONIFACE WANJEMA NJENGA	30/06/1998	101,026/=	17,201/=	50,000/=
235	ISAAC MAINA	31/07/1998	366,058/=	40,508/=	50,000/=
236	TABITH NYOKABI NJUGUNA	15/05/1998	506,497/=	63,806/=	50,000/=
237	ROSE WANGARI	15/05/1998	535,814/=	67,046/=	50,000/=
238	RITALIND NJERI NJOROGE	18/02/1998	497,332/=	83,712/=	50,000/=
239	JOSEPH MUCHEMI MAINGI	18/02/1998	417,181/=	72,674/=	50,000/=
240	REUBEN MURIITHI MUNYIRI	28/02/1995	531,429/=		
241	DICKSON KINULA KITOO	22/04/1998	1,164,785/=	185,710/=	50,000/=
242	MOSES N. NJAGI	22/04/1998	279,985/=	48,995/=	50,000/=
243	TIMOTHY GATHUA				
244	G. M. NGARUIYA	18/06/1998	664,097/=	132,055/=	50,000/=
245	PAUL RIMUI MUHIA	30/04/2003			
246	JOHN KABAA	13/07/1998	705,118/=	14,378/=	
247	HASSAN SORA	18/02/1998	1,450,847/=	17,252/=	50,000/=

248	S. M. MUHIA	18/06/1998	1,596,866/=	59,948/=	50,000/=
249	DAVID MWANGAGI	MUTIND 18/06/1996	894,915/=		
250	WILSON MABOI	31/12/1998	547,147/=		
251	JOEL MARIM TOO	31/10/1994			
252	JOHN MWANIKI	23/04/1998	1,040,562/=	190,969/=	50,000/=
253	JACKSON MULONZI	21/06/2000	22,940/=	38,371/=	50,000/=
			17,641,660/=	1,718,904/=	1,000,000/=
254	JOHN GITORO		97,568/=	14,777/=	50,000/=
255	JAMES AMOLO	17/06/1996			
256	SIMON MUTISYA	30/06/1998	193,392/=	36,107/=	
257	NELSON KINGA	28/06/1995			
258	KENNETH KAGETO				
259	KARIM H. KARIM	31/12/1997	460,155/=	62,059/=	100,000/=
260	SYMON GATUMA	WAIROBI 23/04/2003	1,109,363/=	624,183/=	
261	PETERSON AIGURU	22/04/1998	668,587/=		
262	BENJAMIN WAMAI	31/05/1995	607,496/=		
263	JOSEPH MUTHAMA	31/03/1998			
264	WALTER ONG'ANG'O	31/12/1997	301,396/=	44,992/=	100,000/=
265	DANIEL MWAURA	31/03/1998	1,522,797/=	274,111/=	60,000/=
266	DOMINIC MURIU KUNGU	30/06/1998	160,792/=	19,506/=	
267	JOSEPH K. KUNGU	31/10/1998	246,644/=	27,363/=	10,000/=
268	PETER NDIRANGU	KIGUTA	1,722,592/=		
269	CLEMENCE MWADIME	WAKESHO 21/09/1995	373,448/=		
270	ALBANUS K. NZAU	21/06/2000	307,383/=	62,956/=	259/=

271	BENARD K. SILA	27/03/1995			
272	RAMADHAN NUGHASHE	27/07/1998	296,500/=	25,592/=	
273	YAHYA HUSSEIN GICHURU	11/02/1998			
274	MESHACK MOMANYI	17/08/1999	162,887/=	67,398/=	100,000/=
275	FRANCIS DAVID KIOKO	31/05/1998	1,448,399/=	216,625/=	50,000/=
276	STEPHEN NDERITU	25/04/2003	551,124/=	135,330/=	50,000/=
277	FRANCIS MURI MWANGI	23/04/2003	667,749/=	536,097/=	
278	HENRY SOMBA MAILU	25/04/2003			80/=
279	HUMPHREY REREI MBUGUA	09/03/1998	844,375/=	184,860/=	
280	MICHAEL N. MWANIKI	18/11/1998	678,681/=	109,486/=	50,000/=
281	IRENE NGURE NYAWIRA	31/05/1998	1,876,432/=	544,705/=	
282	BENARD NZIMBA	31/12/1997	647,696/=	88,120/=	100,000/=
283	CHARLES ODINGA	03/12/1997	918,899/=	209,842/=	
284	SILA MUYA	18/06/1998	468,366.86	107,451.50	50,000/=
285	FRED NGENO SOI	15/10/2001	551,503.66		
286	HADIJA NJERI ABDALLAH				
287			16,884,225.2	3,391,560.50	720,339/=
288	MARTIN NJIRAINI MURAGE				
289	FRANCIS KIMOTHO	19/10/1998	947,942.86	46,573.00	50,000/=
290	WILSON MURIITHI	18/09/1998	828,620.98	101,742.92	
291	DANIEL MAGOTHI MUHUYU	18/02/1998	672,349.50	137,712/=	50,000/=
292	GABRIEL M. METHO	21/06/2000	128,304.15	58,326.30	50,000/=

293	SOLOMON K. KARIO	18/06/1998			
294	AUGUSTINE NYAKONDO	23/04/2003	1,688,488.67	500,466.80	
295	CHRISPINE NYAGA	31/03/1998	526,674.90	110,323/=	
296	NICHOLAS MUTEI KIRIMI	25/04/1996			
297	ROBERT MURIUKI	31/10/2003	2,934,237/=	1,334,172/=	
298	PETER M. MBUI	18/02/1998	1,450,227/=	429,828/=	
299	MOHAMMED JOHN SHIKUKU	31/03/1998	995,586/=	169,451/=	
300	JUSTUUS MWANZIA MAITHYA	26/03/1996	715,413/=		
301	MESHACK DERO	4/16/1998	248,171/=	179,209/=	
302	ABDURAHAMAN RAMADHANI	24/10/2001			
303	LAMECH MOGAKA	18/02/1998	190,257/=	32,273/=	
304	RICHARD AGUNDA MASINDA	15/06/1999			
305	PETER MURIU MUIGA	8/02/1998	575,823/=	99,927/=	50,000/=
306	PETER MUTURI NJOGO	25/04/2003	3,407,700/=	607,023/=	100,000/=
307	JAMES KIMANI WAINAINA	31/03/1998	127,142/=	27,964/=	
308	JOSEPH A. BWANA	27/03/1998	1,543,649/=		14,495/=
309	EDWIN NGANGIRA GATEI	18/2/1998			
310	NAHASHON M. KINGI	30/6/1995	452,217/=		
311	DAVID JOE MWANGI KARIU	FEB 1998			
312	SAMUEL NYANGIRA MUTEI	18/2/1998	937,490/=	244,129/=	50,000/=
313	ONESMUS N. NGOILOVOI	18/06/1998	673,236/=	76,995/=	
314	DAVID OLOO OUKO	30/4/2003	3,115,096/=		

315	GABRIEL KARIUKI	NJUGUNA	13/3/1998	779,586/=	161,810/=	
316	JOHANA WACHIRA	MUCHIMI	26/03/1998			
317	ELIUD OUMA GOME		15/06/1999	1,089,927/=	164,871/=	
318	JOHN BUNYI GICHARU		18/06/1998	882,407/=	126,363/=	50,000/=
319	FRANCIS NJAAGA TIFUS		31/12/1997	151,176/=	22,556/=	
320	STEPHEN K. MUNGAI					
321	MARGARET ODHIAMBO	O.	15/05/1998	263,612/=	46,861/=	50,000/=
				25,325,333.06	4,678,572.02	464,495/=
322	GEORGE K. GICHOHI		26/03/1998	1,392,144/=	244,694/=	50,000/=
323	MARGARET W. KINYUA		26/03/1998	542,233/=	79,579/=	50,000/=
324	ROBINSON M. GAKUNJI		19/07/2000	598,906/=	141,114/=	50,000/=
325	JOSEPH MACHARIA	MAINA	30/06/1998	641,440/=	61384/=	50,000/=
326	SAMSON ONYANGONGAO		3/10/2000	887,867/=		
327	CHRISTOPHER MBOCHE	NDICHU	31/03/1998	478,121/=	87,494/=	50,000/=
328	DANIEL KAMAU	NJOROGE	15/06/1999			
329	JAMES OCHAMI	ABUKUSE	31/10/1994	400,137/=	61,690/=	60,000/=
330	KANYA KAMAU		31/10/1994	877,897/=		
331	SAMUEL GACHURI		15/09/2001	1,169,830/=	216,397/=	
332	ROBERT NJUGUNA	MUCHUNO	19/05/1999	1,331,781/=	302,665/=	100,000/=
333	PEETR L. OPILI		21/10/1994			
334	EPHRAIM M. NJOROGE			1,436,118/=	584,266/=	10,000/=

335	PETER MBURU KIBUGI	1995			
336	ROBERT MBUTHIA MUNGAI	18/06/1996	1,833,305/=	153,532/=	
337	MACHARIA MUTURI	30/04/1998	728,690/=	80,619/=	
338	ISAAC NJINE KARIUKI	30/09/1995	928,103/=		
339	FRANCIS M. KANGANGI	18/06/1998			
340	JECONIA O. ANINDO	24/05/1999	436,711/=	55,688/=	50,000/=
341	SOLOMON OTIENO ANINDO	12/06/1998	1,204,466/=	193,295/=	50,000/=
342	JOSPAT MUKUNDI KINUTHIA	25/04/1996			
343	FREDRICK KIBOI KIHORO	27/09/1999	962,401/=	142,766/=	
344	GEOFFREY WAIYEGO	18/12/1998	432,270/=	43,432/=	50,000/=
345	GORDON MISANGO	31/10/2003	1,429,927/=	579,210/=	
346	JOSEPH K.MAINA	17/07/2000	525,730/=	107,825/=	50,000/=
347	SIMON NJATHI MUTORA	28/02/1998			
348	SAMUEL M. THAIRU	31/07/1998	970,222/=	138,089/=	50,000/=
349	ALLAN KABUGI	31/07/1998	1,149,448/=	238,403/=	
350	JOHN MUTHORERI	22/04/1998	228,199/=	100,235/=	
351	IBRAHIM MURATHA	31/12/1997	874,041/=	201,248/=	
352	JUSTUS MUTEMI WAMBUA	31/05/1998	1,280,834/=	232,986/=	50,000/=
			22,740,911/=	4,04,611/=	720,000/=
353	ALRED KIBE	3/12/1997	1,670,343/=	106,013/=	
354	PETER GICHOB I	15/05/1998	761,043/=	136,728/=	50,000/=
355	ROBERT W. NDIANGUI		558,786/=	73,466/=	50,000/=
356	PHILIP KILONZO NWANZIA	30/06/1998	693,287/=	117,036/=	

357	EDWARD K. THAIRU	31/07/1998	244,578/=		
358	JAMIA A. BABALA	18/16/1998	1,309,650/=	174,727/=	100,000/=
359	JOSEPH WAITHAKA MBUGUA	5/05/1998	933,850/=	199,534/=	60,000/=
360	GEORGE M. THUO	31/10/1998			
361	JULIUS MWANGONDI	31/10/2003	1,531,701/=	566,738/=	50,000/=
362	GEOFFREY K. WAKABA	18/02/1998	768,062/=	153,429/=	50,000/=
363	BONIFACE K. MASAI	31/05/1998	1,223,068/=	213,403/=	50,000/=
364	NICHOLAS MACKENZIE	18/9/1998	1,219,092/=	195,994/=	50,000/=
365	DANIEL NGEWA KIOLI	20/09/1995			
366	BENJAMIN W. MATUVA	31/10/2003	1,161,562/=	564,155/=	50,000/=
367	ALEX WAMBANDI	15/05/1998	201,696/=	18,960/=	50,000/=
368	HARRISON AMULI	17/08/1999	284,301/=	50,729/=	100,000/=
369	PETER K. KIMANI	18/02/1998	150,877/=	23,682/=	50,000/=
370	HENRY K. KARANJA	22/04/1998	59,513/=	81,176/=	
371	FRANCIS BWIRE	31/12/1997	1,426,099/=		
372	MARTIN S. MUTUNGI	30/06/1998	195,293/=	18,584/=	50,000/=
373	WANJOHI WACHIRA	28/06/1995			
374	JAMES N, GICHEHA	31/12/1997	524,132/=	79,689/=	100,000/=
375	MICHAEL W. KARIUKI	31/12/1997	300,244/=		
376	HANNINGTON KAVU	18/01/1999			
377	CHARLOTTE MDOE	31/12/1977	26,514/=		
378	RACHAEL KAVU	31/12/1977	35,951/=	8,760/=	
379	LYDIA MBITHI	31/12/1997	549,254/=	86,068/=	100,000/=
380	MR. IRUNGU KAMAU	31/12/1997	286,278/=	42,930/=	100,000/=
381	BARRACK HABWE	28/06/1995	2,227,153/=	21,364/=	

382	JONATHAN M. SUMUNU	31/03/1998	213,719/=	61,700/=	50,000/=
383	ROBERT G. MBOA	31/03/1998	415,927/=	76,355/=	50,000/=
384	LEONARD K. IRUNGU				
385	ANDREW N. KARIUKI	1998			
386	HERMAN G. MBUGUA				
			18,971,973/=	3,071,220/=	1,160,000/=
387	THOMAS M. MUTUKU	31/12/1995	480,966/=		
388	JULIUS G. MACHARIA	31/12/1997			
389	JOSEPH KOROSI	31/12/1997	150,582/=	11,768/=	50,000/=
390	ERNEST KOSKEY	30/06/1998			
391	FREDRICK KIRUGA	31/05/1998	708,553/=		
392	DANIEL MACHARIA	16/11/1994	506,099/=		
393	JIM KABUE	31/03/1998			
394	JOB MWANZIA	30/06/1998	50,7296/=	54,935/=	
395	JOHN M. KIILU	28/02/1998	469,032/=	91,056/=	50,000/=
396	CHARLES OUMA	26/03/1998	128,847/=	30,984/=	100,000/=
397	TERRY G. WALKER	28/03/1995			
398	SIMON K. MWANGI	30/05/1998			
399	JOHN C. NDUATI	24/06/1998	517,602/=	72,462/=	50,000/=
400	JONATHANN MUIGAI	6/03/1998	567,644/=	84,070/=	50,000/=
401	LAWRENCE NDUNGU NGUGI	31/05/1995	383,012/=		
402	JOHN M. MALUKI	30/09/1995	367,044/=		
403	DAVID MUNGAI	20/08/2002			
404	WARIO J. BONAYA	24/05/1999	803,229/=	132,938/=	
405	TIMOTHY S. KIILU	3/12/1997	1,758,824/=	381,813/=	

406	ISAACK N. NGUGI	21/06/2000	95,868/=	32,226/=	
407	JULIUS KM MBUTHIA	30/06/1998			
408	RICHARD S. KILONZO	31/12/1997	786,632/=		
409	MARTIN NJOROGE	18/06/1998			
410	GEORGE N, KARIRU	30/04/1996	749,258/=		
411	SIMON K. MBUGUA	31/03/1998	1,155,927/=	149,473/=	
412	DICKSON NJOROGE	13/12/1997	999,241/=		
413	CHRIANT KINYALE	9/06/1998	260,040/=	48,317/=	
414	PATRICK N. KIMATA	18/06/1998	908,757/=	194,835/=	50,000/=
415	ALFRED B. OBUNGA	15/03/1996	1,249,200/=		
416	JAMES ANGAWA ONYANGO	MAY 2003	135,939/=	140,925/=	100,000/=
417	SAMUEL KAHUNYO	30/06/1995			
418	DAVID KAMANGA	30/04/1998			
419	JOSEPH K. MBUGUA	22/07/200	205,415/=	46,677/=	50,000/=
420	ROBERT M. KITHEKA	31/03/1998	1,211,260/=	280,707/=	60,000/=
421	STEPHEN W. KANYI		14,650,687/=	1,753,176/=	660,000/=
422	LOIS WAMBUI NDIRANGU	18/02/1998	786,645/=	180,858/=	
423	PETER THEURI	1/07/1998	415,881/=	68,325/=	
424	F. M. GATHIRU	3/12/1997			
425	KITEMA KIMULI	31/10/1994			
426	JOSEPH IRUNGU WAHAGI	26/03/1998	401,680/=	73,011/=	50,000/=
427	PETER KIHARO	18/02/1998	1,008,182/=	268,442/=	100,000/=
428	MAHARIA RERAI	18/02/1998	633,600/=	83,339/=	50,000/=
429	EDWARD BENSON THAIRU	25/04/2003	1,409,514/=	274,129/=	

430	ELIUD MUCUNU KARIMI	26/07/1994			
431	JOSEPH MUHUNI NJOROGE	22/10/1994	705,214/=		
432	JOSEPH WANYAMA	18/06/1998	231,103/=	44,671/=	
433	LEONARD NDAWA MBULU	1999			
434	JOSEPH KIPNGETICH KIRUI	30/06/1998	361,866/=		
435	CHRISTOPHER MARITIM	20/11/1998	443,257/=	61,094/=	
436	JAMLECK WAMAI NDIRANGU	26/03/1998	177,687/=	35,460/=	
437	MUNENI KIRUBU				
438	PETER MAITHYA MWENGA	30/06/1996	819,236/=		
439	PETER MUCHIRI MWANGI	18/06/1998	519,758/=	72,995/=	50,000/=
440	PETER HUMPHREY KARIUKI				
441	FRANCIS KIMANI	30/06/1998	468,533/=	76,324/=	50,000/=
442	GEORGE KIMANI NUTHONI	12/07/1999	130,014/=	49,586/=	
443	CHARLES MAINA GITHINJI	25/04/2003	1,208,923/=	283,851/=	100,000/=
444	SIMON M. GICHU	22/05/1998	576,526/=		
445	NJAMBI NGAARA				
446	LEONARD KITUMBA KAVULUNZE	21/06/2000	220,258/=	45,938/=	50,000/=
447	JOHN MWANGI MWANIKI	10/12/1999	179,939/=	23,066/=	100,000/=
448	SAMMY KINYUGO KIHUNGU	31/03/1998	390,310/=	63,367/=	
449	PAULINE WAIRIMU	2/12/1997	923,188/=	70,315/=	50,000/=
450	DAVID M. KITAKA	18/06/1998	87,918/=	124,498/=	

451	PETER MUTEI KILONZO	15/06/1999	266,429/=	57,706/=	50,000/=
452	EDWARD MUTHUSI MUSILI	19/10/1998	189,807/=	17,298/=	50,000/=
453	SAMSONM MUASYA MUTUNGU	31/12/1997	319,583/=	37,134/=	100,000/=
			12,875,01/=	2,011,107/=	800,000/=
454	DENNIS KINYUA NYAMU	6/09/1999	329,647/=	81,645/=	100,000/=
455	MICHAEL OKUMU LAZARUS OPATA	23/03/1998	1,230,476/=	226,152/=	50,000/=
456	GERALD KIBUTHU	22/04/1998	304,975/=	51,936/=	50,000/=
457	DANIEL NYOIKE NGANGA				
458	CHRISTOPHER KIBUTHU	22/04/1998	1,131,941/=	276,690/=	50,000/=
459	PATRICK MUNYIRI GICHUKI	20/03/1998	643,836/=	124,417/=	50,000/=
460	DAVID NGANGA WAMAI	30/06/1996	1,016,293/=		
461	PETER KARIUKI NGIGI	26/03/1998	581,056/=		
462	ONESPHOROUS K. KARIANJAH	30/04/1998	1,087,307/=	199,727/=	50,000/=
463	JOHN KAMAU	17/01/2008	1,020,195/=	308,467/=	100,000/=
464	JACKSON KIVIUITU NGUNZE	22/04/1998	694,446/=	144,419/=	50,000/=
465	NELSON MAKUMI MANGI	3/07/2000	682,069/=	140,832/=	50,000/=
466	WILLIM K. MUNGUTI	9/05/1995	3,009,242/=	107,742/=	
467	JOHN BWALA OBWOGO	28/02/1995	677,598/=		
468	SAMMY WANJOOHI GITHINJI	31/03/1998			
469	FREDRICK GICHUMA KAGWAINI	31/03/1998			

470	ALBANOS MULWA	KITAKA	21/06/2000	883,142/=		
471	MWASYA KATHUKU	MULIKO	30/06/1995	622,339/=		
472	CHARLES MACHARIA	NJOROGE	31/10/1994	672,069/=		
473	JOHN GICHOMO	NGIGI	30/03/1998			
474	FESTUS OWINO	ODANDO	6/09/1999	99,888/=	16,425/=	
475	BENARD GITHUI	GITHAIGA	30/06/1998	345,814/=		
476	BENEDICT MBILO	JOHN	31/12/1997	763,155/=	98,339/=	100,000/=
477	RAHAB WANJOHI	MUKAMI	18/02/1998	173,056/=	33,728/=	50,000/=
478	GEORGE KIMANI	WAWERU	18/06/1998	1,135,309/=	197,216/=	50,000/=
479	DANSON NYAGA	NGARI	31/03/1998	265,254/=	29,431/=	
480	CHARLES KINYANJUI	MBURU	30/10/1994			
481	DAVID KIMOTHO	KAHURA	31/08/1998	352,806/=	183,518/=	
482	ZACHARIA	INJELULA	31/12/1997	485,408/=	170,907/=	
483	DANIEL MULWA	MUSAU	31/10/1998			
				18,207,321/=	2,601,713/=	750,000/=
484	JAMES WAINAINA	MWANGI	31/05/1998	413,689/=		
485	PAUL MUIYA	MUIA	19/10/1998	684,013/=	113,732/=	50,000/=
486	BENARD MASILA	KIMANZI	25/07/2000	530,482/=		
487	FRANCIS KAIRU	THAIRU	18/06/1998	170,220/=	55,511/=	
488	ERNEST WACHIRA	IRUNGU	31/03/1998			
489	SAMUEL THUO	KIMANI	11/05/1995			

490	JEREMIAH MJLANDI	18/06/1998	724,328/=	131,803/=	
491	MATTHEW KARIUKI MUCEMBI	25/02/1996			
492	PETER THIRIKWA MWANGI				
493	JOHN KINUTHIA MURIUKI	31/10/1994			
494	WILLIAM MUSYOKA MUTUKU	31/12/1997	378,897/=	52,644/=	
495	GEORGE MWATHI	24/05/1999	402,824/=	63,956/=	50,000/=
496	NDUNGU NJOROGE	31/10/1994			
497	JAMES MUIGAI KIRAGURI	30/06/1998	262,446/=	5,034/=	50,000/=
498	STANELY MBURU NGIGI	26/10/2001	268,026/=	69,135/=	
499	STEPHEN MURIUNGI NCEEENE	20/03/2006	1,196,298/=	573,932/=	50,000/=
500	TITO KAKULI	26/03/1998	433,704/=	74,205/=	
501	KEFAH ANYANJE	18/02/1998	674,118/=	83,289/=	
502	PETER MWANGI KAGWANJA	15/05/1998	123,382/=	7,686/=	
503	STNALEY KIIMU RINGERA	12/02/1996			
504	PETER ANTHONY MUREITHI	21/06/2000	143,809/=	306,442/=	100,000/=
505	MUTHUI MUSYOKA	31/10/1994			
506	NASHON MUIGAI KAGO	20/07/2000	284,309/=	60,205/=	50,000/=
507	JUSTUS MBAYI ABALA	15/06/1999	302,962/=	69,044/=	
508	TAABU ALI GUCHU	2/12/1997			
509	MOHAMMED ALI GODORO	26/13/1998			

510	JOSEPH WANDERE DOTO	15/05/1998	529,111/=	91,635/=	
511	ESTHER KINGESI	30/08/1999	307,699/=	80,677/=	50,000/=
512	FRANCINAH NUGUNA ICHAGICHU	18/02/1998	261,719/=	40,677/=	30,000/=
513	JOSEPH KIIO MUTUNGI	25/04/2003	3,054,647/=	623,001/=	
514	PATRICK MUTUA KIILU	30/08/1999	1,422,243/=	158,525/=	
			12,568,926/=	2,661,133/=	430,000/=
515	MWINZI MULI	26/03/1996	513,956/=		
516	DANIEL MUTUA MWANZIA	18/09/1998	238,372/=	19,052/=	50,000/=
517	TITUS MWANGI KAMAU	18/02/1998	1,933,451/=	378,110/=	50,000/=
518	FRANCIS KAPALA	02/06/1995			
519	JULIUS NDUNGU KINYUA	21/06/2000	283,861/=	66,051/=	100,000/=
520	JOSEPH NTHIWA NTHUKU	16/11/1998	285,623/=		50,000/=
521	ROBINSON ODHIAMBO	31/10/1998	590,294/=	83,577/=	50,000/=
522	SILAS OKEYO ASKO	09/11/1998	571,627/=	89,349/=	50,000/=
523	FRANCIS MBAI KITELA	31/03/1998			
524	JONATHAN KAMANDE THIRU				
525	PETER WACHRA NJUKI	22/05/1995			
526	BERNADETTE NGUTA MWIKALI	15/05/1996	799,187/=		
527	JOEL MUA ULANGA	30/04/1995	919,659/=		
528	NZUKI MUTUA	30/04/1995	466,285/=		
529	GEORGE MUIINDE NYUMU	31/03/1998	442,537/=	80,090/=	50,000/=
530	SEPHEN MWANGI KANYI	15/06/1999	177,810/=	76,198/=	

531	DAVIND MUNYUNGI	KANYI	31/10/1994	1,508,162/=		
532	SIMON NDUGIRE	WACHIRA	19/10/1998			
533	GODFREY MUTHUMBI	MWANGI	08/06/1998	472,194/=		
534	LAWRENCE GEORGE	KINYUA	14/02/1995	733,752/=		
535	JOHN GATEI	NGANGIRA	31/05/1998	230,522/=	31,258/=	
536	JULIUS MITHYA		18/06/1998	185,170/=	8,201/=	50,000/=
537	MWANZIA MALUTA			174,709/=	36,312/=	
538	BEATRICE KIBE	AIGUMO	31/07/2001			
539	JOHNSON KAMAU	KARANJA	01/05/1996	1,966,871/=		
540	SWYNNERTON ACHALA	NAZOI	5/02/2001	465,542/=	106,107/=	14,000/=
541	LAWRENCE NGANGA	NGUGI	19/11/1996	183,284/=		
542	BACHO KIHONO		10/03/1996	857,549/=		
543	STEPHEN MWAURA	GITAKA	30/06/1996	1,104,682/=		
544	JOSEPH OKEDAH	ABUOGA	13/05/1998	1,070,111/=		
				16,175,210/=	1,172,764/=	514,000/=
545	PETER MUTHUNGU	GICHANGA		2,663,046/=		
546	JOHN MWABU	MWANGANGI	20/09/1995			
547	SOLOMON MUTEMI	SONYI	31/10/1998			

548	SAMUEL NGANGA	28/06/1995			
549	PETER NDETI KITUKU	18/02/1998	625,794/=	89,435/=	50,000/=
550	JOHN NDEGWA NGURIBU	10/03/2006			
551	ANASTASIA NGINA MULWA	17/08/199	69,285/=	53,502/=	50,000/=
552	CHALES MURIUKI GATHURA	30/06/1996			
553	ADRAIN KANGORO LAIKURU	24/05/1999			
554	NICHOLAS IRUNGU GICHARU	18/02/1998	169,816/=	23,820/=	
555	JOSEPH NYAKUNDI NYANGAU	3/06/1998			
556	DAVID NJOROGE KAMAU	28/06/1995	462,024/=		
557	OMAR ALI	2/12/1997	701,697/=	11,515/=	100,000/=
558	AHMED MOHAMMED KOMBO	31/12/1997	661,610/=	115,221/=	100,000/=
559	PETER NJUGUNA MARARO	31/07/1998	266,236/=	23,845/=	
560	CHARLESTONE MBUVI	30/06/1999			
561	GEORGE KARIUKI KIBE	31/12/1997	1,746,723/=	1,746,723/=	536,808/=
562	JEREMIAH BAIBAYA	28/02/1999	893,822/=		
563	JOHN AUPDO	22/04/1998			
564	CHARLES GATHUTHI	28/02/1998	537,122/=	114,649/=	50,000/=
565	JAMES MWANGI HOROH	21/10/1994			
566	WYCLIFE GESICHO MOEMI	21/06/2000	31,590/=	78,729/=	
567	ETHAN MURAGE NGECHO	2/16/1995	827,792/=		
568	AHMED KIARIE NJONGE	2/12/1997			

569	MWINYUI JUMA WAZIRI					
570	FRANCIS MASILA	KASING	15/07/1999	2,425,111/=	996,778/=	200,000
571	PETER MUYUSA	MWALUGA	21/02/2006	2,080,846/=	965,888/=	100,000/=
572	NICHOLAS KAVOI	MGWILI	18/06/1998	344,573/=		
573	FLORENCE MUSAU		18/06/1998	150,764/=	160,030/=	200,000/=
574	BENSON KIRAGU	WAWERU		582,321/=	145,940/=	7,000/=
575	SAMUEL GACHEMI	NJENGA		212,931/=	64,703/=	
				15,453,103/=	4,590,778/=	1,393,808/=
576	LYDIA MENE MUSYOKI		13/05/1998	180,340/=	19,713/=	
577	JAMES MICHINO		09/04/1998			
578	IBRAHIM BILALI	WACHIRA	31/07/2000	1,556,354/=		
579	JOHN KINGI		15/05/1998	376,683/=	64,213/=	50,000/=
580	KIMWELE KIMANZI		31/04/1994			
581	PETER GICHINGA	KIMANI	18/02/1998	833,390/=	116,680/=	50,000/=
582	JULIUS NDERITY KABUBI		03/07/2000	743,048/=	163,155/=	1,000/=
583	KENNETH THUO	GICHINA	31/12/1997	231,695/=	13,805/=	100,000/=
584	NAPHTALY KUNYIHA		3/12/1997	1,569,757/=	493,759/=	
585	FELICITAS NDUNGE SILA		31/12/1997	1,353,878/=	227,757/=	150,000/=
586	PETER KIMATA		30/11/2003			
587	MIRRIAM MAYANGA	SIMILA	30/09/1998	297,595/=		
588	RAPHAEL MBOGO	WAINAINA	18/06/1998	2,491,197/=	953,287/=	100,000/=

589	FRANCIS MAINA KIEME	30/05/1998			
590	MUTETI NDAVI				
591	PERIS OGANDA	20/06/1998	59,563/=	11,833/=	30,000/=
592	NICHOLAS KARANJA	18/02/1998			
593	MARY KABIRU	31/05/1998	192,730/=		
594	JOHN NGONDU NJERU	18/06/1998	36,856/=	12,340/=	25,000/=
595	MWANDIKWA MUNYASIA	06/03/1996			
596	FRANCIS MUINDI KIOKO	31/10/2003	1,580,949/=	689,054/=	
597	BENSON KABUGI	18/06/1998	738,188/=	196,632/=	50,000/=
598	JOHN KIBE WANJA	28/02/1995			
599	GEORGE MBITHI MUSAU	31/05/1998			
600	HUMPHREY N. KINYUA	15/02/1999	1,037,222/=	290,511/=	50,000/=
601	ALBERT N. KIHARA	31/07/1998	482,686/=	76,034/=	50,000/=
602	DAVID THAIRU GATHECA	18/09/1998			
603	DANIEL NJUGUNA NGANGA				
604	TUGAA IDI	15/05/1998	596,462/=	78,885/=	50,000/=
605	JAMES MURAI KINYANJUI	18/06/1998	390,474/=	83,462/=	50,000/=
606	JOHN MAINA	31/10/1994			
607	COSMAS KIOKO MASEE	30/06/1998	718,047/=		
608	MUTHUI MULYONGOI	30/04/1996	982,019/=		
609	ELIJAH NJUGUNA	21/06/2000	49,149/=	159,287/=	
			16,498,282/=	3,700,407/=	756,000/=
610	PETER NDUNGU	31/10/1994	720,532/=		
611	JOSEH MJOMBA	31/12/1997	257,492/=	15,306/=	100,000/=

	MWANYALO				
612	MWAURA WARUA	31/05/1995			
613	JORAM MGANGA MWANJALA				
614	GEORGE H. KATSENGA	2/12/1997			
615	HEZRON NDOKOLANI KITSAU	2/12/1997			
616	GEORGE NZYUKO	2/16/1995			
617	MARY AUMA ODONGO				
618	PETER SHIMBA CHOLA	31/10/1994	426,260/=		
619	MUMBA NZULA MWAGANDI	31/12/1997	874,286/=		
620	MUSILI MANGULU	30/09/1995	627,639/=		
621	PIUS MANYATA WAHOME	17/02/2006	18,862/=	63,359/=	50,000/=
622	ALBERT MURIITHI	3/12/1997			
623	SALIM WAFULE WABWILE		50,000/=		
624	DICKSON NZOMO MUTUA MUSYOKI		452,790/=	72,629/=	60,000/=
625	NASHID DICK JAMES		1,209,341/=	268,531/=	100,000/=
626	JAMES T. CHEGE	31/05/1995	555,050/=		
267	GERALD M. KARIUKI	27/06/1998	171,616/=		
628	FRANCIS M. MBONDO	19/10/1998			
629	JULIUS M. KAMAU	18/06/1998			
630	MBURU NGANGA				
631	GATHIMBA MACHARIA	30/04/1995	1,100,584/=		
632	JOSEPH MWANGI KAMAU				
633	RICHARD KIPLAGAT A.	31/10/1998	1,194,467/=	341,476/=	

	TEGET				
634	KAMBI MWINYI	31/12/1997	637,977/=	90,015/=	100,000/=
635	OMAR MATANO SHABAN	31/12/1997			
636	GERALD G. MAINGI	22/04/1998	156,165/=	16,818/=	
637	VERONICA W. KAAJJA	21/06/2000	1,202,024/=	354,378/=	
638	FRANCIS N. GITAU	15/05/1998	1,018,428/=	232,714/=	10,000/=
639	FLORENCE MUTHONI MAINA	15/05/1995			
640	JOSEPH ONDIEKI	31/10/2003			
			10,673,513/=	1,455,266/=	420,000/=
641	EDWARD MBUTHIA WAITHAKA	3/12/1997	1,270,534/=		
642	PETER MUTUURA KAMAU	18/02/1998			10,000/=
643	JOSEPHAT MUTUKU MWINZI	31/10/1998	945,665/=	140,705/=	50,000/=
644	GEOFFREY MUTUKUMUTISO				
645	JOSEPH WACHIRA MUNENE	18/02/1998	509,149/=	78,241/=	
646	ALICE K. MUNYAO	3/12/1997			50,000/=
647	JUMA ABDALLAH WAZIRI	31/10/1994			
648	JOHN NJOROE	30/06/1995	688,535/=		
649	MELECKI W. ODONGO	18/06/1998	1,381,323/=	218,196/=	50,000/=
650	JEMIMMAH WANJIRA				
651	FELIX MAINA	18/02/1998			
652	OWEN J. MBUGUA	18/06/1998	297,240/=	45,749/=	50,000/=

653	CYRUS KANYANGO	MUCHIRI	25/04/2003	1,059,313/=	295,959/=	50,000/=
654	MARY ANYANGO	VIOLENTINE	09/06/1998	44,184/=	7,397/=	25,044/=
655	GEOFFREY MATHEA	KINYANJUI	18/02/1998	315,632/=	75,531/=	20,000/=
656	LAWRENCE M. MWANGI		18/02/1998			100,000/=
657	IRENEN W. MWANGI		10/12/2014			
658	WILFRED MANAMBO	NGETI	31/12/1997	171,459/=		
659	JOAB ATTE OKADA		APRIL 1998			
660	SIMON MAKAU		18/06/1998	34,681/=	24,123/=	10,000/=
661	MAURICE APIYO OJOWI		18/03/1998	1,559,967/=		
662	KARIKI GACHOKA		19/10/1998	539,796/=	74,408/=	50,000/=
663	SAMWEL M. KARANJA		26/03/1998	1,530,368/=	253,208/=	50,000/=
664	LIVINGSTONE ASILU	ATIATO	23/07/1998	94,808/=	7,870/=	10,000/=
665	STEPHEN M. GITONGA		18/06/1998	17,893/=	23,306/=	
666	JOSEPH MAINA GITHINJI			113,789/=	15,004/=	10,000/=
667	JONATHAN KENDUIYWA		29/11/1998	1,290,346/=	210,996/=	
668	DAVID LABOSO	KIPLAGAT	15/07/1999			
669	KIBUNUS ARAP TANGUS		22/10/1994			
670	SAMWEL R. SUIYON		18/12/1998			
671	RICHARD CHERUIYOT	KIPTOO	15/07/1999	28,681/=	59,141/=	
				11,893,363/=	1,528,834/=	535,044/=
672	WILSON ARAP RUTO	CHEPKWONY	22/04/1998	1,193,717/=	223,689/=	50,000/=
673	JOEL KIMUTAI SANG		26/03/1998	985,180/=	245,935/=	50,000/=

674	FREDRICK M. SERENGE	17/08/1999	99,830/=	54,357/=	
675	FESTUS LUMITI SERENGE	28/03/2006	1,182,213	327,601/=	50,000/=
676	BRIAN JEROME NGOLO	31/12/1997			
677	PAUL OMBUI RASUGU	31/10/2003	668,183/=	299,699/=	50,000/=
678	PETER N. GICHANGA	1/01/1998			
679	BEN NJOROGE NGUGI	30/09/1995	493,241/=		
680	DANIEL THUO WANJOHI	18/06/1998	714,132/=	165,373/=	50,000/=
681	DOMINIC G. THARAMBA				
682	SIMON PETER GIKONYO	22/05/1995			
683	SIMON KIMANI KAMWEMBU	19/01/1998	188,293/=	21,018/=	50,000/=
684	PAUL SERENGE AMWAYI	31/10/1994	329,043/=		
685	JAMES Z. ITHUMBI	31/12/1997	441,097/=		
686	ABDALLA M. MWAKIDUDU	2/12/1997	284,416/=	23,373/=	
687	ONESMUS M. HEZRON	21/06/2000	502,829/=	94,799/=	50,000/=
688	ZEDI MOHAMMED OMAR	02/12/1997			
689	JOHN MBUI NYAGA	31/07/1998	765,402/=		
690	HENRY PAULO THIONGO	19/01/1998	283,721/=	36,833/=	10,000/=
691	C. K. MBERIA	10/12/1999			
692	JOHN MBUGUA WANYOIKE	31/12/1997	781,888/=	127,544/=	
693	FRANCIS KINYANJUI	17/08/1999	737,564/=	17,955/=	100,000/=
694	KAZUNGU KIANGWA	2/12/1997	287,310/=	23,804/=	
695	DAVID GITHINJI WAWERU	18/02/1998	969,152/=	175,736/=	50,000/=
696	NICHAEL NZEKI MUTNE	30/06/1998			

697	JOSEPH NGUGI NGANGA	31/10/2001	496,972/=	108,856/=	
698	JUMA MZEE ALI	28/10/1994	588,871/=		
699	HARUNMBUGUA MIINGI	2/12/1997	164,887/=	8,396/=	
700	JAMES PAUL OSIDIANA	15/06/1999	815,975/=	152,363/=	60,000/=
701	ISAAC LESEREWAN OLE NAIKUNI		107,392/=	26,185/=	
702	WILLY MBURU THUKU				
703	LUCY WANJA KARIUKI	15/02/1998	672,102/=	88,524/=	50,000/=
			13,753,411/=	2,222,040/=	620,000/=
704	AMOS WAITHAKA NOROGE	31/10/1994	866,748/=		
705	SAMWEL MUCHAI NJIRIRI	1/03/1998	1,696,336/=		
706	JOSEPH M. MUTIO	21/04/1975	1,271,373/=	248,344/=	
707	JOHN RIGUGA MUREHIA				
708	GEORGE KURIA GITHINJI	14/07/2000	435,379/=	34,256/=	185/=
709	JOSEH MUSUMBA	31/10/1998	828,417/=		
710	TITUS MUTUA NTHUTI	18/02/1998	1,396,304/=		
711	HUSSEIN HAMISI KIDIWA	29/03/1996	1,278,998/=		
712	ALI SALIM MISUMI	31/12/1997	997,312/=		
713	ROBERT MUSYOKA MBITI	31/10/2003			
714	AMSTRONG KACHUMBO	15/09/2001	671,504/=	127,283/=	
715	PETER WAWERU NDIRANGU	31/03/1999			
716	LAWRENCENGILA KAKIU	26/03/1998			
717	RASHID M. KUSEMA	15/05/1996			

718	THOMAS MAKOKHA	1/04/1998	351,409/=		30,000/=
719	PETER NGOCHI KAMAU				
720	EUSEBIAS MAKUNDA CLEO	31/07/1999	145,888/=	48,442/=	
721	JOSHUA JUMA MUGA	16/04/1998			
722	AHMED MWIRA	31/05/1995			
723	NASIR TIMAMI	DEC. 1997	293,566/=	22,941/=	
724	DUNCAN M. W. KINYEKI	31/10/1998	579,135/=	86,398/=	60,000/=
725	ENOSH KANYARI THIGA	30/06/1998	1,429,787/=	206,603/=	50,000/=
726	STEPHEN MWANGI KAMAU	1/05/1996			
727	TITUS OSUMBA OGURO	31/07/1999			
728	MORRIS ONYANGO OCHOKA	31/16/1998	889,256/=	108,763/=	10,000/=
729	ELIJAH IRUNGU MUKUHA	31/07/1998	680,864/=		
730	TERESIAH MBITH SOO	21/07/1994			
731	JOSEPH NDEGWA NDARATHI	31/10/1998	479,655/=	87,717/=	60,000/=
732	DAVID NGUGI KAMAU	30/04/1998			
733	TIMOTHY MANZI MUTEMI	6/07/1999	518,896/=	102,277/=	8,130/=
734	ALBERT KIHARA MWITHIGA	18/06/1998			
735	JOEL NZIOKA NDAMBUKI	1995			
736	SAUL ODIDA OGANGO	31/12/1997	883,149/=	215,127/=	150,000/=
			15,693,976/=	1,288,151/=	368,315/=
737	MICHAEL MACHARIA MURAGE	30/04/1998			

738	JEREMIAH EKOMBE	AYIECHA	31/10/1999	824,267/=	107,784/=	100,000/=
739	JOB KENYASA		31/07/2000			
740	DAVID KAMAU WANJOHI		31/05/1995	415,123/=		
741	PATRICK NDUNGU	NJUGUNA	31/05/1995	283,256/=		
742	JAMES GATHUNGU	KARUE	31/07/1997	819,707/=	173,674/=	50,000/=
743	ROBERT OBONDY	OTIENO	31/12/1997			
744	JOSEPH DEDAN OWENYO		31/12/1997	565,727/=	70,000/=	
745	SIMON KARANJA	KABAGE	28/02/1998	416,640/=	26,868/=	
746	MAURICEMAIN BEN		31/07/2000	537,202/=		
747	EDWARD BULUNGU	KIBET	30/06/1999	390,769/=	68,287/=	100,000/=
748	GIDEON NGUGI	MBUTHIA		58,999/=	11,286/=	20,000/=
749	PETER GITHINJI MAINA		30/04/2003	1,152,484/=	301,778/=	
750	PETER MUNGAI MUIRURI		31/07/1998	317,282/=	61,592/=	50,000/=
751	FREDRICK KIMEU NZIVO		31/07/2000	1,073,149/=	254,043/=	50,000/=
752	BENSON OLOO MUHASA		31/07/1998			
753	CHRISTOPHER MWAURA	KAMTO	31/12/1997			
754	SAMMY MUTUNGA KUTU		31/03/1996	1,851,878/=		
755	JAMES KINUTHIA	MUTUONGA	30/09/1998	2,078,953/=	744,989/=	100,000/=
756	BONIFACE MUASYA	NZUKI	31/05/1998	933,574/=	222,112/=	50,000/=
757	KISWILI NDUNGA		01/05/1996	1,436,129/=		
758	MARTIN NGAIA GAKUYA		16/07/1998	810,262/=	94,574/=	50,000/=

759	HASSAD RASHID MWARANJIRA	31/12/1997	927,168/=		
760	CRISPIN NDEGWA	30/06/1995	652,067/=		
761	JONES MWANZIA MBITI	31/03/1996	910,930/=		
762	JOSEPH MUTHIE KIUGE				
763	FREDRICK GITAU NJOROGE	10/03/1996	1,113,491/=		
764	MATHEW SASAKA INJEMELA	31/10/1999		60,330/=	
765	JONATHAN MUTHYA KILILA	31/03/1998	455,349/=	74,606/=	60,000/=
			18,024,406/=	2,271,923/=	630,000/=
766	JOHN IRUNGU GAKUYA	28/02/1998			
767	PAUL MARTIN OWUOR	31/07/2000	1,588,206/=		
768	HENRY MUASYA MUINDE	31/03/1996			
769	STEPHEN MUSYOKA MWAMBI	31/12/1998	485,006/=	134,620/=	100,000/=
770	BENJAMIN BEDAH OMALLA	10/03/2000	4,621,966/=	2,184,835/=	50,000/=
771	PAUL NJOROGE MWANIKI	31/08/1999			
772	PETER NDETI GATI	31/10/1994	1,385,506/=		
773	EDWARD ISAACK OLAKA	31/12/1997			
774	FRANCIS ALAMISI MWAGAMBILI				
775	PETER RIUNGA NYAGA	30/04/1998	439,227/=	61,655/=	
776	FRANCIS GIKINGU NYAMU	31/11/1998	627,326/=	86,147/=	50,000/=
777	ROBERT ROGERS KABUBA THAIRU		67,149/=	7,683/=	
778	PETER KIMANI MUNGAI	FEB 1998			10,000/=

779	EDAH NAIKONE	NAISIANI				
780	JOSEPH GATHARI	NDUNGU	31/12/1997			
781	SAMUEL NGETICH	KIPKERER	31/03/1998	346,134/=	69,829/=	50,000/=
782	JOHN MUCHIRI	NDUATI	31/07/1998	325,963/=	67,194/=	50,000/=
783	WILSON WAMUHA	NGANGA	JUNE 1998			
784	MICHAEL MWAI	MACHARIA	30/16/1999	814,639/=	143,682/=	60,000/=
785	MWAI MACHARIA		30/04/1995			
786	PAUL MWANGI	NGATIA	31/07/1999	446,390/=	79,308/=	50,000/=
787	STEPHEN MUTHUSI	KIKUMU	30/11/1995	683,581/=		
788	KIOKO MANANDI					
789	GRACE KAINYU	IRERI	31/12/1997			
790	RARCISIUS NDUNGU	FRANCIS	31/03/1998	60,782/=	29,490/=	10,000/=
791	JOHN GAKUNJA	KARANJA	31/05/1998	281,686/=	43,808/=	60,000/=
792	PETER KANINI	NJUGUNA	30/06/1998	1,625,082/=		
793	ABDALLA KIKOZA	OMAR	31/10/1994	879,991/=		
794	JORAM KIHARA	MUGI	31/12/1997	388,140/=	35,725/=	
795	JUDAH MWANYINDO	KOVO				
				15,066,771/=	2,943,976/=	490,000/=
796	DAVID MWANGI	KONANGE	08/09/1999			10,000/=
797	PATRICK MUELA	MATA	31/12/1997	250,833/=	15,013/=	

798	GABRIEL MACHIA	MWANGEMI	30/04/1998	963,092/=	185,345/=	50,000/=
799	AQUISIO GITAU			360,333/=	156,775/=	50,000/=
800	MICHAEL OLUOCH		31/10/1999			
801	PAKTA MWARANJIRA	SALIM	31/12/1997	199,936/=	11,248/=	
802	FARID SEIF AHMED		31/07/2000			
803	LAWERENCE SAWE	KIPSEREM	31/03/1998	1,118,521/=	308,810/=	
804	EVANS KAHIRA MUCHIRI		31/10/1994	674,228/=		
805	JAMES MWAI KARUGU		30/06/2000	3,258,830/=	1,132,216/=	100,000/=
806	NYENGE NZINZI					
807	MOSES MURIUKI NJENGA		31/05/2000	1,626,913/=	563,904/=	100,000/=
808	CLEMENT ORINDA	OGOLA	30/04/1995	461,583/=		
809	STANLEY MWANGI	KIMANI	31/10/1998	580,543/=		
810	JOSEPH KAMAI GITAU		31/10/1999	100,000/=	79,112/=	10,000/=
811	ISAAC GITAHU MATU		30/04/2003	2,151,620/=	612,851/=	
812	PETER MURU NJENGA		31/01/1999			
813	JULIUS KIREA	KAIBUNGA	21/11/1998	292,416/=		
814	PETER IRUNGU MUIRU			233,641/=	24,984/=	50,000/=
815	DAVID KARANJA	NJOROGE	30/04/1998	879,126/=	133,150/=	50,000/=
816	JOHN NJEHIA	KANGETHEH	31/03/1998	1,025,304/=	179,095/=	
817	P[ATRIKC MUSONYE	LUMUMBA	30/06/2000	443,518/=	223,294/=	100,000/=
818	JOSEPH GITHINJI	KARANJA	30/04/2003	456,843/=	127,572/=	551/=

819	MAINA STEPHEN KIURI	31/03/1998			
820	DANIEL MUKWENZE NZUUKO	05/11/1994			
821	CHRISPINUS DOME JOE	MAY 2005	1,745,035/=		
822	MORRIS ORARO LOET	18/06/1998	1,071,405/=	156,307/=	50,000/=
823	ATHANUS NZAU	07/04/1989	149,632/=	21,491/=	
824	JANE NDENGWA MUTHONI	02/12/1997			
825	BENARD GATHU MWANIKI	30/04/2006			
826	NANCY NGANGA WANJIRU	18/06/1998	1,200,460/=	251,132/=	
			19,243,862/=	4,182,299/=	570,551/=
827	ROSE MUNINI NUNYAO		1,074,560/=	162,249/=	
828	GRACE MUMO	18/02/1998	1,575,820/=	267,246/=	50,000/=
829	JUMA A. RAJAB	15/12/1997	769,427/=	126,692/=	
830	STEPHEN KANYINA NDERITU	31/10/1998			
831	JOHN IRUNGU MAINA	20/03/1998	512,766/=	97,437/=	50,000/=
832	COSMUS MBUI KISANGI	21/06/2000	185,462/=	50,288/=	
833	ONCHOKE MAOBE	18/02/1998	653,984/=	143,348/=	
834	MAJOR SAMUEL KARIUKI	14/11/2001			
835	FRANCIS NGOTHO	15/09/2001			
836	JAMES MURAGURI NDEGE	01/05/1998	325,828/=	31,463/=	50,000/=
837	MUNENE MEJA	30/06/1998	256,152/=	25,867/=	50,000/=
838	CHARLES O. OLUOCH	18/06/1998	657,120/=		
839	PATRICK M. MUNGAI	20/09/1995			

840	MICHAEL OWN OKELLO	18/06/1998			
841	SIMON GICHURA WAMANJI	15/12/2003			
842	MUEMBI NDETO DOMNIC	06/02/2015			
843	CHALES KIRAGU MBUGUA	21/06/2000	349,676/=	72,120/=	
844	BOAZ OMOLO	19/07/1998	1,129,417/=	131,025/=	
845	JOSEPH MYUTU MWANGI	18/02/1998	944,994/=		
846	NICHOLAS NGANGA	31/05/1998	233,360/=	27,598/=	
847	STANLEY NGANGA MUNGAI	18/06/1998	1,358,764/=		50,000/=
848	PETER KIANGA	JUNE 1998			
849	JEMIMA KIANGA	30/06/1996	1,126,598/=		
850	CHARLES WASUNGU	27/07/1998	265,876/=		
851	LUCY MUTHONI MATU	31/03/1998			
852	NGARI THIGUKU	26/03/1996			
853	MATHEWS MINIRE WAIRUGU				
854	MAURICE APIYO OJOWI	18/02/1998	1,159,967/=	468,444/=	
855	MICHAEL NJOROGE KARIRU	31/05/1995	394,485/=		
856	JOSEPH NGOVI MASAKU	31/12/1997	696,408/=	16,757/=	
857	BONPHAS MAINA KIAMA				
858	DANIEL KISINGU	02/12/1997	353,810/=	32,957/=	
859	PETER MWANGI CHOMA	31/03/1998	595,694/=	111,344/=	50,000/=
860	BERNARD KHAMALA OMITO	31/12/1997	680,957/=		
			15,301,125/=	1,764,835/=	300,000/=
861	PAUL M. MUIA	19/10/1998	684,013/=	113,732/=	100,000/=

862	CLEMENT O. ORINDA	26/04/1995	867,824/=	215,680/=	
863	JOHN W. WAITHIRA	23/04/2003	607,360/=	83,160/=	50,000/=
864	JACK AGUTU	18/06/1998	1,509,864/=	313,116/=	
865	RUTH NJERI WAIGURU	17/08/1999	658,366/=	152,009/=	
866	KULUMBA NZAU	31/10/1994	1,075,314/=		
867	PATRICK N. NZIMBI	30/06/1998	417,345/=	50,483/=	100,000/=
868	CECILIA B. MUNYAMBU	21/06/2000	617,862/=	153,826/=	
869	ISABELLA W. KAMAU	31/03/2003	3,496,887/=	1,307,009/=	100,000/=
870	DEDAN GICHURU	28/02/2006			
871	JOHN M. MUVALI	20/09/1995	535,054/=		
872	HERMAN O. FRANCIS	02/12/1997			
873	GILBERT K. OHOWA	20/09/1995	606,148/=	87,685/=	
874	SOLOMON MUTHEE WACHRA				
875	ENOCK OWINO				
876	MARY W. HINGA	22/04/1998	586,233/=	48,474/=	
877	NJURU GITHAIYA	03/12/1997			
878	MOSES AMBANI	27/07/1998	660,275/=	89,009/=	
879	ANGELINE OWITI	15/05/1998	748,644/=	91,214/=	65,832/=
880	DAVID G. GATHII	15/07/2003	2,493,362/=	751,938/=	
881	HARRY J. AGUTU	19/10/1998	1,041,469/=		
882	FREDRICK MWAMUYE	02/12/1997			
883	GEORGE NYAWANA	10/05/1995	451,306/=		
884	MUSA A. MBITHI	13/02/1998			
885	SAMUEL MANGI	18/02/1998	1,175,269/=		

886	JOHN M. KIILU	02/06/1995			
887	THOMAS K. MUSANGE	17/01/2000	1,856,244/=	628,105/=	100,000/=
888	JOSEPH A. NYAMIRI				
889	STEPHEN M. WERU				
890	JOSEPH K. GITHINJI	25/04/2003	456,842/=	12,572/=	50,000/=
891	PETER M. MUTURI	22/05/1995			
892	JANE W. MUCHAI		470,550/=	49,014/=	
893	VITALIS A. ABOKA				
894	DAVID W. MUCHERU	18/06/1998	399,224/=	65,612/=	50,000/=
			21,415,455/=	4,327,638/=	615,832/=
895	WILSON N. GATHAMBA	21/10/1994			
896	EDWARD MAKILA	16/06/2003	2,971,349/=	845,921/=	
897	SIMON K. KIRAGU	18/02/1998	558,741/=		
898	ANDRE NDUNGU	31/10/1994	551,431/=		
899	ROSE W. BULIMU	31/03/2009			
900	HENRY J. ATIMA	02/12/1997	210,335/=		
901	TITUS KASWAHILI	22/02/2006	3,120,562/=	932,717/=	50,000/=
902	FINNY CHEMTAI	15/05/1998	76,285/=	12,191/=	30,000/=
903	GEORGE KAMARITI	15/05/1995			
904	JOAN A. ONYANGO	31/03/2009			
905	JAMES N. MWANGI	30/09/1998			
906	PHILOMENA GATHURU	N. 22/03/1995			
907	MUASYA MUTEMI	19/10/1998	518,890/=	85,072/=	50,000/=
908	MESHACK O. OPIYO	31/03/1998	1,227,765/=	279,000/=	50,000/=
909	BISHMARK N. NJUE	18/06/1998	1,065,252/=		

910	THOMAS N. MUINDI	02/12/1997	121,259/=	7,405/=	
911	PAUL O. OWINO	30/04/2003	421,410/=	130,497/=	50,000/=
912	STEPHEN M. WERU	31/10/1994	560,209/=		
913	CYRUS K. GITONGA	19/10/1998	820,831/=	177,045/=	
914	MICHAEL A. ASUNA	31/03/1998			
915	ABDUL K. MWINYI	31/12/1997			
916	PHILIP K. MWANZIA	30/06/1998	693,287/=	117,036/=	50,000/=
917	JOHN N. NYAMU	31/07/1998	288,840/=		50,000/=
918	SIMON M. KAMAU	26/03/1998			
919	PETER K. MUCHIRA	30/06/1998			
920	CHRISTINE W. KARURU	30/06/1998	736,168/=	83,021/=	50,000/=
921	TIMOTHY H. KAMAU	15/06/1999	154,888/=	46,402/=	
922	MWAURA MUGO	01/03/1998	1,351,089/=		
923	WILSON N. WAINAINA	31/10/1994	561,249/=		
924	SIMON N. KAMIA	15/06/1999	908,621/=	117,316/=	
925	PETR W. SANDUKA	15/07/1999			
926	NORAH MWABI	22/04/1998	360,833/=	24,365/=	
927	KIMWELE KIMANZI	31/10/1994			
928	DOMINIC C. WANYAMA	22/04/1998			
			17,279,294/=	2,857,988/=	380,000/=
929	HUMPHREY R. MBUGUA	09/03/1998	844,375/=	184,660/=	50,000/=
930	JAMES N. MATHEA	03/12/1997	1,806,392/=	381,825/=	50,000/=
931	JOSEPH K. A. KIRUI	15/05/1998	273,305/=	36,760/=	50,000/=
932	JOSEPH O. NYADENGE	01/02/1993			
933	JUDAH K. MANYINDO	JULY 1998			

934	WILSON RUBAI				
935	NZIOKA WAMBUA	18/02/1998	1,119,502/=	213,583/=	50,000/=
936	MOSES N. MATHEA	21/08/1998	282,435/=	92,818/=	50,000/=
937	GEORGE M. MUIVA	01/04/1998	1,374,327/=	149,812/=	50,000/=
938	ALEX N. WAINAINA	30/11/2003	1,427,704/=		
940	JOMO KASIBWA	27/07/1998			
941	JOYCE K. GICHUIYA	27/11/1995			
942	BENARD MATHEA	06/03/1996			
943	STEPHEN CHEGE				
			7,128,040/=	1,059,458/=	300,000/=
			486,558,724.58	79,543,483.52	20,775,144/=

The firm of J. Harrison Kinyanjui & Co. has also filed another schedule in respect of 125 plaintiffs in which they claim for a refund of ksh.9,405,541/=. Again, the defendant has failed to tender evidence to controvert this claim. No good reason has been advanced as to why the claim should not be paid. Consequently the plaintiffs listed in the schedule prepared by the firm of J. Harrison Kinyanjui & Co. Advocates should be paid a sum of ksh.9,405,541/= worked out in the aforesaid schedule as follows:

J. HARRISON KINYANJUI & CO. ADVOCATES - SCHEDULE OF PAYMENT

NO	NAME	COY NO	DATE OF TERMINA TION	AMOUNT PAID	AMOUNT TAXED OFF	AMOUNT WITHHELD
1.	LAWRENCE KYALO NDUTU	0542	18/9/1998	891,348.31/=	51,326	50,000/=
2.	GORDON OTOLO NGOLO	4053	11/7/1998	742,255/=	138,000/=	50,000/=
3.	JAMES NGINGA WAIRIOKO	4022	1998	722,000/=	132,000/=	50,000/=
4.	GEORGE NJOROGE NJIGU	1917	APRIL 1998	122,911/=	15,132.69	50,000/=
5.	JAMES SAIYALELE SUIYANGA	1740	18/2/1998	327,770.36	2,050.40	50,000/=

6.	PHILIP KINYANJUI GITHI	2575	FEB.1998	241,298.00/=	111,90.50	50,000/=
7.	CHARLES MWANGI GAKOMO	3837	JUNE 1998	1,039,071.68	278,950.93	50,000/=
8	MARY PHOLOMENA W. WAMBUGU	6322	DEC. 1997	1,327,738.63	373,490/=	100,000/=
9.	STEPHEN MWANGI WERU	5159	17/10/1994	960,462/=	246,366/=	50,000/=
10	THOMAS O. AMWOMA	3062	FEB. 1998	1,101,150.10	216,686/=	50,000/=
11	ANDREW MONAYO NYARIBO	2242	FEB. 1998	354,367.35	60,910.40	50,000/=
12	DANIEL MUINDUKO MAWATHE	2304	FEB. 1998	785,505.45	212,796.88	50,000/=
13	HILARY FRANCIS MBURU	6004	18/2/1998	1,300,283.22	438,842/=	100,000/=
14	DAVID N. KINUTHIA	6989	1998	960,000/=	248,000/=	100,000/=
15	EDWARD MBUGUA GITAU	7113	18/6/1998	278,702.12	37,831.03	50,000/=
16	SIMON MAINA GATHERU	2213	22/7/2000	703,902.65	134,084/=	50,000/=
17	JULIUS GIKONYO KAMAU	3265	1998	960,000/=	248,000/=	50,000/=
18	JULIUS MWANGI KAMBIA	1643	1998	760,000/=	360,122/=	50,000/=
19	MUIRURI M. KARUGU	510	1995	836,145/=	235,140/=	50,000/=
20	JACOB AGALE OWAK	4610	JUNE 1998	151,710.11	21,999.69	100,000/=
21	ALICE NJERI GATHUNGU	0079	1999	96,257.45	51,151.27	52,650/=
22	JAMES MATUNDA SAISI	7333	27/7/1998	560,135/=	145,000/=	50,000/=
23	MARIETTA N. MUTISYA	240	MAY 1998	416,894.33	49,814.83	50,000/=
24	PETER IRUNGU MWANGI	7236	19/10/1998	171,617.30	16,702/=	50,000/=
25	JUSTUS KAKUSU MATHEKA	0573	1998	860,135/=	335,000/=	50,000/=
26	NZUKI MUTISYA NDOLO	1946	1998	642,138/=	142,000/=	50,000/=
27	PETER MIRINGU MWAURA	5094	18/2/1998	1,010,135/=	464,135/=	50,000/=
28	JULIUS M. MULWA	4557	17/8/1999	501,116.85	96,573.37	100.000/=

29	MOSES M. MACHIRA	5510	18/2/1998	1,210,135/=	363,135/=	100,000/=
30	JERUSHA NYABOKE	869	15/5/1998	964,135/=	241,140/=	100,000/=
31	MAKIMEI WAIGANJO	882	14/2/1995	590,136/=	135,000/=	50,000/=
32	JAMES MWANGI KABUE	5785	1995	1,110,060/=	265,000/=	50,000/=
33	MOSES OTIENO NDOLO	1369	1998	764,130/=	320,135/=	50,000/=
34	JOHN MUTUA MUTISYA	2643	1998	679,760/=	170,000/=	50,000/=
35	FATUMA GATI CHACHA	4288	1995	464,130/=	112,000/=	50,000/=
36	PETER KAROKI WAIRIUKO	7203	30/6/1999	201,907.14	28,135.36	100,000/=
37	DOMINIC NGURE	1159	1998	1,211,552.28	219,943.64	50,000/=
38	TIMOTHY LOKI MATHEA	5197	1998	1,34604.30	360,145/=	100,000/=
39	JOHN KANYI NJOROGE	399	1998	764,135/=	181,132/=	50,000/=
40	THOMAS WAMBUA NGUI	0300	APRIL 1999	1,360,423.85	456,738.65	50,000/=
41	CHRISTINE NDUKU	5404	11/11/1995	980,135/=	265,180/=	100,000/=
42	ALOIS KINGORO GICHANA	1725	MARCH 1998	1,814,639.63	185,329.15	100,000/=
43	MICHAEL K. MUNANDI	4355	1998	794,135/=	295,180/=	100,000/=
44	ROSE MUENI MUTUKU	4091	2/12/1997	863,17.62	176,955/=	100,000/=
45	ROHDA MWIKALI NZOMO	5586	1998	1,622,244.53	289,561/=	100,000/=
46	ANTHONY KILONZO	MWANZIA 4120	1998	842,165/=	184,135/=	50,000/=
47	JOSEPH OGWAYO	KOKOYO 3087	1999	1,142,564.25	166,404.95	100,000/=
48	ANDREW KAMAU GATETE	5864	1997	764,145/=	136,134/=	100,000/=
49	GEORGE MWANGI	WAWERU 6023	1995	968,138/=	264,135/	100,000/=
50	LINUS BIRUNDU OMBUNA	3746	19/10/1998	581,313/=	82,338/=	50,000/=
51	NZIOKA NDUNDA	956	1994	512,796/=	135,640/=	50,000/=
52	DAVID SYANDA KILUNDO	600	2/12/1997	455,777.28	118,460/=	100,000/=

53	GIDEON OMBURA OUMA	3788	31/10/2003	1,692,667.90	647,598/=	100,000/=
54	WAMBUA MBELENZI	2806	1998	964,135/=	135,365/=	50,000/=
55	LAWERENCE MWANGI IRERI	1140	1998	571,527.15	126,574.18	50,000/=
56	SIMON NDUNGU WANYEKI	1885	1998	215,625.75	38,083.75	50,000/=
57	EDWARD MULI	3970	1994	464,135/=	96,135/=	100,000/=
58	PHILIP MUTUKU NYANZI	2326	1994	764,420/=	132,135/=	100,000/=
59	EVELYNE P. A. OYWA	3717	MAY 1999	1,351,944.70	321,561.30	50,000/=
60	NYAMBARIGA SILAS ONGIGE	2674	NOV. 1998	1,356,462.30	318,130/=	50,000/=
61	JOHN KIVULI	7926	DEC. 1997	259,212.14	9,101/=	100,000/=
62	PETER MWENGI NGUNZE	5642	3/12/1997	960,136/=	238,135/=	100,000/=
63	SUSAN RASMAS CHITECH	7986	2/12/1997	176,428.09	14,955/=	100,000/=
64	RASHID KANYAU ABDUL	0950	2/12/1997	462,189/=	38,135/=	100,000/=
65	ROBERT M. NJULU	7950	DEC. 1997	188,707.77	8,398/=	50,000/=
66	DAVID NDALINGA MUTUVI	2846	2/12/1997	834,599.73	236,145/=	50,000/=
67	JUMA MOHAMMED KIDANGA	7932	2/12/1997	251,938.77	15,443/=	100,000/=
68	MOHAMMED SAID BWANA IMANI	7807	2/12/1997	812,025.67	120,587/=	100,000/=
69	GIDEON K. MWENGI	436	2/12/1997	1,385,392/=	252,766/=	100,000/=
70	FRANCIS NGUNZE K	122	2/12/1997	872,150.13	180,135/=	100,000/=
71	DOROTHY MBEKE SHENYE	6307	1998	764,180/=	234,135/=	50,000/=
72	MAURICE SAKWA	4331	JUNE 1998	251,369.95	23,243.34	50,000/=
73	STANLEY G. KENGARA	7132	21/6/2000	864,135/=	231,135/=	50,000/=

74	BARSHORA BAJARA	WACHU	1874	2/12/1997	875,748.25	110,777/=	100,000/=
75	GEORGE S. MSHEDI		7761	1997	1,512,458.37	289,767/=	100,000/=
76	DZOMBO MBURA	CHARLES	0506	1998	820,558.49	136,626/=	100,000/=
77	JEREMIAH NUNZAA		7964	1997	250,262.47	15,765/=	100,000/=
78	DOUGLAS MALINGI	HARMTON	037	27/6/1995	642,180/=	136,190/=	100,000/=
79	HAMAD MWANGUPU	JUMA	7726	1994	812,693.55		100,000/=
80	LEONARD DUME MBOGA		7709	2/12/1997	1,087,852.29	157,488/=	100,000/=
81	DAVID MAZERA JOHN		7900	2/12/1997	269,646.03	18,602/=	100,000/=
82	JOSEPHINE NDOSHO	CHEZEZ	441	1996	930,165/=	136,142/=	100,000/=
83	SAIDI AWADHI AWAYU		3400	1996	864,135/=	150,165/=	100,000/=
84	DARIUS KILAMBO		7886	1997	391,871.34	44,626/=	50,00/=
85	DONAS KIRICHA LOMBO		2915	2/12/1997	981,135/=	194,132/=	100,000/=
86	RACHEL V. W. KEAR		7839	1997	658,888.82	86,086/=	100,000/=
87	DILTON PASCAL KITATU		0502	1997	579,591/=	69,884/=	100,000/=
88	BONIFACE NDAKA	MUTUKU	7868	1997	585,435.60	77,625/=	100,000/=
89	KIMANI NGERE WAITITU		7759	1997	1,114,740.17	158,115/=	100,000/=
90	ZIPPORAH DENA FUKWE		0462	1997	764,138/=	197,432/=	100,000/=
91	KENA H. KOMORA		0648	1997	842,138/=	214,134/=	100,000/=
92	CONSTANTIUS MAGHANGA	MWAKIO	4360	1997	288,312/=	20,698/=	50,000/=
93	M. ASHODI KONGONINGA	M. NGIMI	7901	1997	246,627.29	13,04/=	50,000/=
94	OCHIENG OMOLLO		5136	1998	1,180,460/=	360,000/=	152,891/=
95	ALPHONCE	MWAVULA	0585	1995	564,135/=	96,135/=	100,000/=

	MWAKIZAI						
96	BERNICE WANGECI KINGORI	5658	2002	1,110,000/=	381,142/=	100,000/=	
97	GIBSON WANJIHIA M.	3878	1998	764,135/=	184,135/=	50,000/=	
98	MWANGI WAMBUGU	1014	1995	465,132/=	96,13/=	50,000/=	
99	ANDREW KENGARA MAIGO	724	1995	764,135/=	218,134/=	50,000/=	
100	GLORIA AWUOR MANGO	5403	1995	1,164,135/=	348,135/=	100,000/=	
101	REUBEN MBIU MWATINGU	696	1998	149,200/=	13,600/=	50,000/=	
102	BOOKER AWIMBO OGUTU	2263	1998	663,611.70	101,600/=	50,000/=	
103	JECONIAH ORONJE OWUOR	3227	1998	961,135/=	234,180/=	50,000/=	
104	BEATRICE M. KILIO	7762	1997	108,882.76	39,995/=	100,000/=	
105	ASHFORD MA. AYUBU	7945	1997	250,592.31	18,806/=	100,000/=	
106	VICTOR MTUANGUO	3111	1994	641,132/=	160,145/=	100,000/=	
107	NARISIS M. MTULA	7851	1997	414,929.76	35,345/=	100,000/=	
108	WILSON NJUKI MAARA	5327	1997	1,231,98.05	388,650/=	100,000/=	
109	CHARLES KIMANI KABUGUA	1266	18/2/1998	1,915,696.20	325,813.3.	50,000/=	
110	GABRIEL MAINA WAIRE	5119	30/4/1996	1,414,600/=	461,136/=	100,000/=	
111	PATRICK NDEGE MUGANE	1694	1995	564,145/=	74,138/=	50,000/=	
112	WALLACE SHAKE	4433	1995	484,165/=	65,145/=	100,000/=	
113	BENJAMIN MULWA MWANIA	2816	1998	94,030.70	11,296/=	50,000/=	
114	ROBERT M. MWAWUGANGA	3998	1995	961,136/=	192,100/=	100,000/=	
115	RAU TSUMA	7738	1994	646,145/=	131,640/=	100,000/=	

116	HAMISA KIDANGA	MOHAMMED	1591	1995	764,164/=	138,142/=	100,000/=
117	ABRAHAM ORINA		3490	2003	1,107,307.20	477,747/=	50,000/=
118	ZACKARIA WAMBUGU	STANLEY	2380	JUNE 1998	1,129,981.20	206,202/=	50,000/=
119	PATRICK KAGOTHO	KAMAU	5829	2000	1,136,430.10	189,160/=	100,000/=
120	JERUSHA IRNE SUERO		5954	1997	980,14.30	190,135/=	100,000/=
121	DAVID MIRERA WACHI		597	1995	964,138/=	165,134/=	50,000/=
122	PAUL MUTHINI IVUSU		3264	1998	934,135/=	180,140/=	50,000/=
123	ISAACK WAMBUGU	KARANJA	5489	1999	1,512,269.75	126,363.62	100,000/=
124	DAVID KITISO	MYNYWOKI	3543	1998	717,707.90	9,395/=	50,000/=
125	JOHN KURIANGUMI		1910	1998	646,134/=	98,135/=	50,000/=
TOTAL					93,297,344.44	41,418,429	9,405,541

15) In the end, I find merit in the plaintiffs' claim. Consequently, I issue an order directing the defendant to pay the plaintiffs a sum of ksh.20,775,152 as per the schedule dated 11.5.2016 filed by Namanda & Co. Advocates and kshs.9,405,541/= as per the schedule dated 23.10.2017 and filed by J. Harrison Kinyanjui & Co. Advocates. The aforesaid amount to attract interest at court rates from the date of judgment until the date of full payment.

16) The third issue which has been identified for determination is whether or not the plaintiffs are entitled to be paid their salaries upto the date of retirement. It is not in dispute that the plaintiffs were on permanent and pensionable terms of employment with the defendant. It is the submission of the plaintiffs that they had legitimate expectation to work for the defendant until the retirement age of 60 years. The plaintiffs are of the view that they should be paid their salaries upto the age of 60 years since their employment was guaranteed. The defendant is of the contrary view that even in a permanent contract, there is no guarantee of employment until retirement. With respect, I agree with the submissions of the defendant. Despite the fact that a letter of employment states that the contract of employment is on permanent and pensionable terms, still an employer may terminate the same and the affected employee may file an action for damages for the unlawful dismissal. It is therefore not correct that the plaintiffs were entitled to payment of salary upto the age of retirement of 60 years. The prayer is therefore declined.

17) The fourth issue is closely related to the third issue. It is the question as to whether or not the plaintiffs are entitled to general damages for loss of employment. It is the submission of the defendant that at the time of plaintiffs' dismissal, the remedy available was damages if a defendant was liable, was limited to the period of notice applicable under the employment contract. The defendant was of the submission that since the plaintiffs' employment was terminated by way of redundancy, they were not entitled to claim damages for loss of employment. It is the submission of the plaintiffs that the entire process they were subjected to was an illegality hence they are entitled to compensation in damages on

the basis of a multiplier of their salaries but being capped to 12 months' gross salary. The plaintiffs asked this court to award each plaintiff a sum of kshs.10,000,000/= on this head. Having considered the rival submissions over this claim, I am satisfied that the plaintiffs' exit from the defendant's employment cannot be treated as redundancy. The defendant simply dismissed the plaintiffs through a process not recognised by the C.B.A and the contracts of employment signed by each plaintiff. In other words, the plaintiffs were unlawfully dismissed. The plaintiffs are therefore entitled to receive damages equivalent to the period of notice stated in the contract or the C.B.A. There is no dispute that the plaintiffs' employment with the defendant was terminated before the coming into force of the Constitution of Kenya 2010 and the Employment Act, 2007. In the case of **Mary Wakhubi British Airways PLC (2015) eKLR** the Court of Appeal considered the remedies available to an employee dismissed in 2000. In finding that the remedies in the Constitution of Kenya 2010, and the Employment Act 2007 did not apply in such a case the court held *inter alia*:

“All that said, then is to say that this court only has jurisdiction to award the remedies available at the time of the wrongful dismissal or unfair termination, that is, when the cause of action arose. These are remedies that are provided for under the repealed Employment Act, Cap 226 Laws of Kenya and the repealed Trade Disputes Act, Cap 234 Laws of Kenya.”

In **D.P. Bachhetha vs Government of the United States of America (2017) eK.L.R** the Court of Appeal held *inter alia*:

“That an employee whose dismissal was wrongful was only entitled to damages equivalent to the salary he would have earned during the period of notice applicable in his contract.”

18) In this case, it is clear from the contract of employment and the memorandum signed between the plaintiffs' union and the defendant that the defendant was required to pay one month's salary in lieu of notice. I am of the view that the plaintiffs are each entitled to a sum equivalent to one month's salary as at the date of termination as damages for loss of employment. I make the award in favour of the plaintiffs. The plaintiffs and their advocates file and serve the defendant schedules showing the monthly salary each plaintiff was earning as at the time of termination of employment. Mention on 6/2/2018 to determine the issue.

19) The final issue to be determined is whether or not the defendant's calculation of the plaintiff's terminal benefits were wrong, arbitrary and helped the defendant to withhold huge sums due to the plaintiffs. It is the submission of the defendant that the aforesaid payments were calculated as required under the Regulations of Wages (General) and in accordance with the law governing employees who have been declared redundant. The plaintiffs are of the view that since they were not consulted, then the defendant's calculations should be treated as arbitrary. I have considered the material placed before this court and it is clear to this court that though the defendant did not consult the plaintiffs on the computation of their terminal benefits, the defendant nevertheless gave a schedule showing how the figures were arrived at. What is clear in my mind is that the defendant proceeded to compute those dues as though the plaintiffs were declared redundant which is not the case here. In the circumstances, I am unable to make a declaration that the process was wrong or arbitrary.

20) In the final analysis this court enters judgment in favour of the plaintiffs as follows:

a) It is hereby declared that the decision to cause the plaintiffs to take early retirement was unlawful and in breach of the constitution and the plaintiffs' contract of employment.

b) The defendant is hereby ordered to pay each of the plaintiffs damages for loss of employment a sum equivalent to one (1) month's salary as at the time of termination of employment.

c) The defendant is ordered to refund to the plaintiffs a sum of ksh.30,180,685/= being the amount withheld in terms of the schedules filed by the firms of advocates of Namada & Co.

Advocates and the firm of J. Harrison Kinyanjui & Co. Advocates tabulated

1. Ksh.20,775,144

2. Ksh. 9,405,541

Total ksh.30,180,685/=

d) The plaintiffs to be paid by the defendants costs of the suit.

e) The defendant to pay interest on (b), (c) and (d) above at court rates from the date of judgment until the date of full payment.

Dated, Signed and Delivered in open court this 24th day of January, 2018.

J. K. SERGON

JUDGE

In the presence of:

..... for the plaintiff

..... for the Respondent